PRISON MANAGEMENT THEORY AND PRACTICE: WITH SPECIAL REFERENCE TO RISDON GAOL

by

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DECLARATION

This thesis contains no material which has been accepted for the award of any other higher degree in any university and that, to the best of my knowledge and belief, the thesis contains no material previously published or written by another person, except where due reference is made in the text of the thesis.

W C Paterson

March 1988

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Abstract

The thesis addresses the issues of contemporary prison management and prison managers. It discusses recent American attempts to introduce organisation theories and management principles into the prison environment to assist the managerial function. The thesis argues that the bureaucratic paramilitary nature of the prison inhibits innovation and encourages the maintenance of traditional custodial management practices. It suggests that the practice of promoting managers using the 'seniority principle' entrenches the custodial practice which in turn leads to ineffective management, staff and inmate discontent, and centralised control.

The thesis argues that the manager's role cannot be considered in isolation. It must take account of the many external and internal factors such as penal philosophy and Government policy, staff and inmate interactions, among others. The manager's success depends on his skills and attributes in balancing and harmonising these variables.

The thesis questions the American practice of investigating the prison using the open-systems approach. It takes the view that the prison is a closed system and that research should be conducted on this premise. The thesis demonstrates the difficulty of locating the prison within organisation theory and suggests that present methodological tools are inadequate for prison management investigation.

Risdon Prison management practice is examined using administrative management principles. The thesis suggests that the changing nature of prison philosophy has not materially affected the management routine established prior to the prison's opening in 1960. The establishment of the Law Department in 1982 relegated the former Prisons Department to Divisional status within the newly created organisation. Centralised decision-making at Head Office and Prison Senior Mangement level has led to industrial unrest, unclear goals and a power vacuum.

The recommendations of the Grubb Report (1976) are considered and it is argued that many of the points made then should still be implemented. The current hierarchical structure of the prison staff should be altered to provide opportunities to encourage staff to seek promotion and provide management with a ready pool of future managers. One method of reaching this goal is the introduction of Unit Management. The thesis concludes by suggesting the Risdon Prison must have a primary function - containment, and base its managerial practices on that premise.

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INTRODUCTION

> The key occupational group in industrial society is management. Effective direction of human efforts - whether in the public or private sectors of an economy - is central to the wise and efficient utilisation of human and material resources.[1]

The Australian prison has attracted considerable publicity in recent months through, on the one hand, a sequence of escapes, disturbances and riots, and on the other, enquiries into the high incidence of aboriginal deaths in custody. Media exposure and criticism[2] have been answered by Ministerial statements on prison policy and practice.[3] Governments, however, have traditionally placed the blame for poor prison management on the previous holders of office[4] and there appears to be little impetus for change of the prison system unless impelled by Royal Commission,[5] Parliamentary enquiry,[6] or internal investigation - whether public[7] or private.[8]

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[1]Campbell, J P, quoted in Hall, R H, Occupations and the Social Structure, Englewood Cliffs, N J: 1975, p.136.

[2]For example, The ABC documentaries, "Out of Sight, Out of Mind", ABC Television, 14 & 15 October 1987, & The Mercury, Hobart, 2 & 3 November 1987, articles on Jika Jika or 'K' Division in Pentridge Prison, Victoria where 5 inmates suffocated to death.

[3]The Attorneys-General of Victoria and Tasmania have both issued statements to the media concerning their respective prison systems.

[4]Interviews with former Tasmanian Attorneys-General of both political persuasions.

[5]In NSW the Royal Commission into Prisons, 1976 conducted by Mr Justice Nagle (hereafter called the Nagle Report).

[6]In Tasmania, the Report of the Commissioner of Enquiry into the administration of the Prisons in Tasmania, 1976, by Judge Grubb, (hereafter called the Grubb Report).

[7]The Lewer Report: Recommendations of Report Relating to the Department of Corrective Services (NSW Parliamentary Paper No.81 of 1973-74).

[8]In Tasmania, for example, The Mellick Report, 1986, into an escape at Hobart's Risdon Prison.

Many of these reports have been critical of prison management, citing managerial incompetency, lack of training, failure to adapt to change, and corruption as the most common grounds for complaint. The prison manager's task is thankless. It is his duty to carry out Government decree and his skills in achieving the implementation of prison policy largely determine the prison's functioning and stability. It has been suggested that the prison managerial position is amongst the most stressful in the workforce,[9] and the dropout rate, particularly in Australia is startling.[10]

Prisons have been subject in the past to much academic analysis with sociological, psychological, and penological perspectives predominating. The general literature on prisons has a multitude of studies investigating attitudes, groupings, institutionalisation, punishment philosophies and treatment practices. However, little consideration has been given to the management of prisons, or the prison manager.[11]

The managerial position in any organisation is subject to many variables. A planned routine might be desirable, but

> ... organisations are not, by nature, cooperative systems; [thus] top managers must exercise a great deal of effort to control

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[9]See, for example, Burke, R J, & Weir, T, "Is managing a corrective institution a demanding occupation?", unpublished paper, 1979, York University, Toronto, and Burke, R J, & Weir, T, "Life experiences, satisfactions and health among wives of correctional and probation/ parole aftercare adminstrators", unpublished paper, 1980, York University, Toronto.

[10]Nearly 50 Heads of Agencies and Senior Prison Managers have left the Austraian Prison System between 1972 and 1987. From conversations with Bill Kidston, Director-General, Office of Corrections, Victoria.

[11]See, for example, Archembeault, W G and Archembeault, B J, Corrective Supervisory Management, Englewood Cliffs, N J: 1982, Prentice-Hall.

them.[12]

The prison manager, similarly, copes with many situations but his responsiblity is magnified when providing a community service. The clientele of his organisation are unwilling participants in the legal system. He not only manages the willing - the prison staff - but an inmate population which increasingly is challenging his authority.

Prisons operate on a daily routine. Cells are unlocked, meals are provided, labour is commenced. Inmates are locked up at set times, and the process is repetitive. This routine, however, is always tenuous. To the periodic threat of disruption by industrial action of staff or inmate discontent are added problems of overcrowding, lack of facilities, or size of institution. The manager has to be constantly aware that a change to routine can act as a catalyst to property damage, injury, or even death. Since World War II his role has become more stressful. Centralised prison systems have largely removed decision-making from the institution and the manager's success may be keyed to Head Office edict.[13]

The centralisation of the prison service has raised many issues, but none more pertinent than the qualifications for management which many of the incumbents lack. Many of the managers in the Australian system reached senior positions through attrition, and promotion through the

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[12]Perrow, C, in Dale, E, Readings In Management: Landmarks and New Frontiers, (3rd edn) New York: 1975, McGraw-Hill, p.165.

[13]Most prison systems have centralised head offices which are part of Government Departments. For example, in Scotland, prisons come under the jurisdiction of the Scottish Home and Health Department, whilst in Tasmania, prisons are part of the Corrective Services Division of the Law Department.

ranks.[14] Prison Officer recruiting standards have always been questioned, and it is generally accepted - in view of little evidence to the contrary - that many of the Australian prison managers have achieved their rank through the 'seniority principle'. A direct result of this policy has been the breakdown in communication and cooperation between the Head Office 'public servant' - with little knowledge of the prison environment, and the 'professional' prison manager. The prison manager views his experience in the service as the major attribute necessary to direct, while the public servant reaches high office through a combination of educational and training expertise.

The other major Western prison services have provision for lateral recruitment to the lower echelons of the management hierarchy. England, for example, has a two-tiered system - managers (officers) and staff (other ranks). During the 1970s and early 1980s most of the managers were recruited through the lateral concept, but the powerful English Prison Officers Association (the staff union)has constantly challenged this practice, claiming discrimination against prison officers who aim to progress to managerial status.[15]

The expansion of Western business interests has resulted in great technological change. Work places have been ergonomically designed to meet the changing needs of industry. New work practices have been initiated. Progress has been made in the increasingly important field

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[14]See, for example, Rinaldi, F, Australian Prisons, Fyshwick, ACT: 1977, F & M, p.197.

[15]This practice is currently under review.

of industrial relations. Managerial techniques have been refined to meet the change. This new 'industrial revolution' has not included the contemporary prison. It remains essentially unchanged in design and practice from its eighteenth century forebear. Prison managers are working in an environment inspired by retributive penology. One problem now faced by governments is that Victorian architectural principles still provide the structure for modern prison design.[16] This design, however, is antipathetic to the prison philosophy currently in use.[17] The managerial task is thus compounded by design and rapidly changing prison philosophy, and, more importantly, by an increasing public scrutiny.

There is little substantive data on the characteristics required by the 'average' prison manager, although the works of Bowker,[18] and Nelson & Lovell[19] attempt to profile the English and American incumbent, and some comparative use can be made of this research on 'correctional' managers.[20] There has been virtually no research on senior prison managers with the literature available being largely autobiographical.[21]

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[16]Houses of Correction built for the inmate to repent his sins.

[17]Johnstone, N, The Human Cage: A Brief History of Prison Architecture, New York: 1973, Walker & Co.

[18]Bowker, L H, Corrections: The Art and the Science, New York: 1982, Macmillan

[19]Nelson, E K (Jr), Lovell, C H, Developing Correctional Administrations, (Washington, DC: Joint Commission on Correctional Manpower and Training, 1970).

[20]They have a variety of titles - Governor, Superintendent, Director, Warden, among others.

[21]For example, Brockway, Z R, Fifty Years of Prison Service, Montclair, NJ: 1969, Patterson Smith.

Dunphy claimed in 1981 that

> ... failure to anticipate change, refusal to recognise the need for change, a delayed reaction to it, can result in organisational and personal disasters through the loss of control.[22]

Although this statement was a general comment on organisations, it can be applied to the contemporary prison system.[23]

Prisons worldwide face the major problem of overcrowding. In Australia, it has been claimed that the prison system is in a state of crisis.[24] Long range predictions suggest the system will be unable to cope with the increasing numbers by the year 2000.[25] Moreover, current moves to provide more bedspace are offset by the closing of antiquated institutions.[26]

Governments have taken some measures to alleviate this overcrowding. These include alternatives to imprisonment, such as Victoria's Community Based Corrections, the proposed introduction in NSW of 'house' arrest using electronic surveillance techniques, Tasmania's liberal use of

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[22]Dunphy, D C, Organisational change by choice, Sydney: 1981, McGraw-Hill, p.xii.

[23]Deaths at Jika-Jika (H Division) Pentridge, Victoria; riots at Parklea, NSW; Bogga Road, Queensland; and the Adelaide Gaol, South Australia.

[24]Harding, R, "Prison Overcrowding: Correctional Policies and Political Constraints", Aus & NZ J of Crim, 20, 1, March 1987, pp.16-32.

[25]Walker, J, Forecasting Prisoner Numbers: A Computer Model for Correctional Administrators, Canberra: 1984, Australian Institute of Criminology.

[26]For example, the new remand centre in Adelaide, SA, will replace the Adelaide Gaol.

probation and parole, and South Australia's early release programmes. Unfortunately, most Governments face a backlash against these programmes when an offence is committed by a person who should still be physically imprisoned. Furthermore, these measures fail to address the fundamental issue of prison management.

Not only are prison numbers increasing, but the recent practice in some Australian jurisdictions of giving long sentences with minimum parole periods poses prison managers with the problem of placating these inmates who, effectively, have little to lose should they create trouble. The American authorities, faced with similar developments but on a larger scale, have investigated current managerial practices in an attempt to discover whether techniques from industry, and other Government agencies have any place in the prison setting. Some authors have already claimed that changes in prison management have paralleled changes in theories of formal organisation.[27] There is, however, little evidence to substantiate this.

Although the application of these theories and principles is to be commended they do not readily integrate into the prison environment. Managers of prisons have two groups to organise - staff and inmates. Staff, recently, have shown a certain reluctance to accept managerial fiat, while the inmate situation tends to vitiate inmate compliance. Additionally, however sound the formal organisation theory or management principle, it still has to be implemented by a management staff who,

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[27]Allen, h E, Simonsen, C E, Corrections in America: An Introduction (3rd edn) New York: 1981, Macmillan, p.356.

because of recruiting patterns, may not possess the necessary intellectual capacity for the task.

Purpose of the Study

The thesis will address the dual issues of prison management (see Figure 1) and managers (see Figure 2) in general, and the management of HMP Risdon, Tasmania (hereafter referred to as Risdon Prison) in particular.

The management of prisons per se is subject to many variables - changing prison philosophy, Government decree, the input of pressure groups like the civil libertarians and prisoner action groups, industrial discontent, inmate unrest, and a public which still expects the prison authorities to change the criminal into a useful member of society. Many management problems (see Figure 2) can be partially resolved if the system has a number of institutions where inmates of various categories and classifications can be dispersed. The limited facilities of a small state like Tasmania make particular demands on its prison managers. Another major problem which faces most prison managers, and particularly those in Tasmania, is a lack of a referent body and empirical work directed towards the management of prisons.

Figure 1 : Distinction Between Administration and Management

THE PRISON

	Administration		Management
A	Concerned with both internal and external organisational issues.	A	Concerned with internal organisational issues.
B	Concept includes management.	B	Concept is included in administration
C	Broad and general scope of authority.	C	Narrow and specific scope of authority.
D	Top administrative personnel are responsible and accountable to some larger organisation or political unit of government outside the framework of the organisation.	D	Management personnel are responsible and accountable to some unit within the framework of the organisation.
E	Politically vulnerable	E	Less politically vulnerable, except to organisational politics.
F	Time and energy spent primarily dealing with issues and people outside of the formal organisation.	F	Time and energy spent primarily supervising personnel within the formal organisation.
G	Formulates policy.	G	Implements policy; converts policy to action.
H	Responsible for long-range planning and makes decisions affecting the entire organisation.	H	Responsible for day-to-day or short-range planning and most management decisions affect only segments of the organisation.
I	Often positions are appointive; personnel subject to frequent transfer or loss of jobs.	I	Most positions are covered by civil service; transfers and loss of jobs less frequent.

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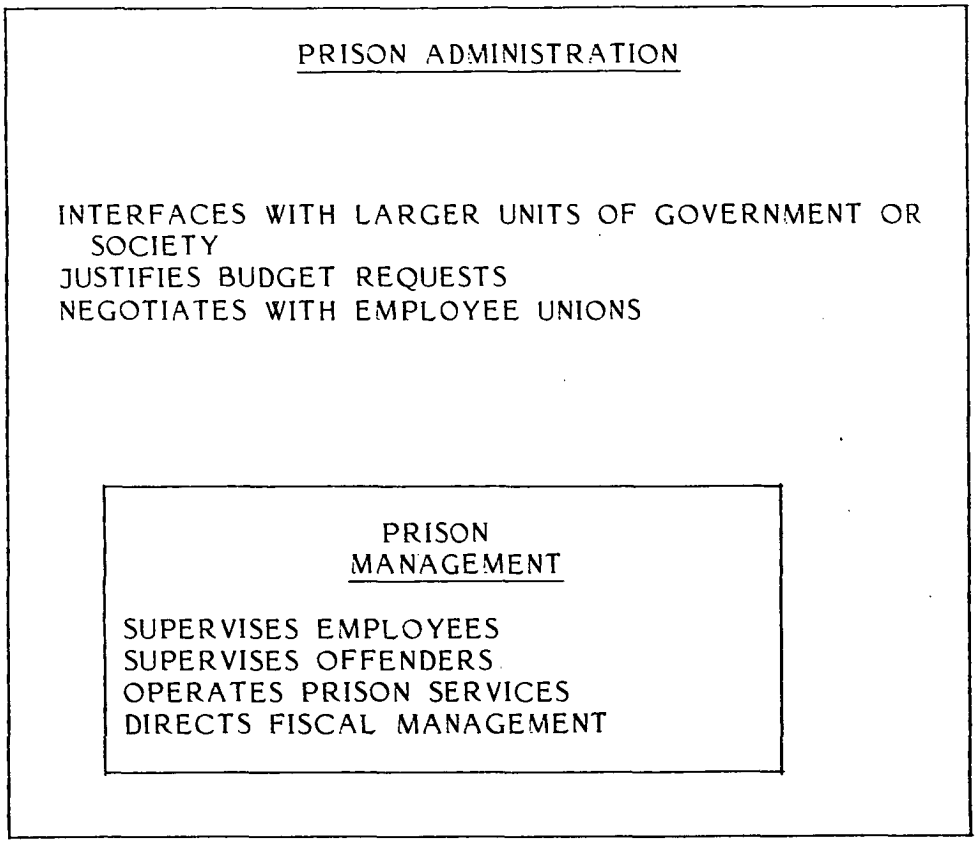
[28]From Archembeault and Archmebeault, op.cit., p.49.

It appears that prison management has traditionally been overlooked, or bypassed, when theories of organisational practice and management principles have been developed. By its nature, the prison has remained a 'closed' environment. Investigative access has been limited. Those who have gained entrance have directed their investigations to the social phenomena rather than the managerial aspects. ;Organisational literature pays scant attention to this complex area. Perhaps the prison has not been seriously considered as an appropriate area of investigation. In addition, the role of prison managers, as perceived by themselves and others, may have differed from that of managers of other Government agencies and private enterprise.

Figure 2: Differences Between Prison Management and Administration



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The early charismatic prison managers such as Maconochie - in charge of the penal colony at Norfolk Island,[30] Brockway, at New York's Elmira Reformatory,[31] and du Cane in England,[32] were viewed as social reformers rather than prison managers.

The rapid growth of prison building in the late 19th and early 20th century did not keep pace with managerial recruitment. Governments

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[29] ibid, p.48.

[30] See Allen & Simonsen, op.cit., p.44.

[31] ibid, p.46.

[32] See Thomas, J E, The English Prison Officer Since 1850, London: 1972, Routledge & Kegan Paul, Ch.3.

tended to employ with reference to the philosophical mode - Retribution.[33] The preferred managerial recruit had a military background.[34] As overcrowding became prevalent conditions became harsher with adverse consequences for inmate interaction with peers and with authority.[35] Managers confronted by an inmate population who threatened to assume control of the very environment structured to limit their freedom became stricter and those managers who could not cope were simply replaced within the system by those who could. Little importance was attached to the broader managerial function. The manager's ability to maintain order in his establishment became the dominant factor in determining his suitability for the task.

These recruitment practices continued well into the 20th century. During the 1960s, a concerted movement to staff prisons with 'specialists' - psychiatrists, psychologists and social workers among others, provided the catalyst for prison management reform. Such specialists used to dealing with other 'professionals' drew attention to the deficiencies in managerial ranks, and the inadequacy of the essentially custodial orientation of most managers within the system. During this period - characterised as the Rehabilitation phase in prison philosophy[36] - Governments not only provided finance to effect change

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[33]Newman, D J, Introduction to Criminal Justice (2nd Edn) Philadelphia: 1975, Lippincott, pp.308-309.

[34]See, for example, Allen & Simonsen, op.cit., Ch.2, and Ignatieff, M, A Just Measure of Pain, London: 1978, Macmillan, especially Ch.4.

[35]Ignatieff, op.cit.

[36]Newman, op.cit.

in inmate behavioural patterns but appointed these specialists to senior management positions in the expectation that their professional techniques would counter the extravagances of a custodial management practice. However, the specialist manager not only encountered problems similar to his predecessors, but was also confronted by a hostile prison staff reluctant to accept the superiority of expert knowledge over knowledge of the prison operation.

Since the 1960s, the pace of prison construction has accelerated - most notably in America and England, and to a lesser, but still significant, extent in Australia.[37] The Australian authorities have, in some instances, recognised that the time-honoured managerial practices need to be changed. Courses are now conducted for prospective prison managers.[38] However, the usefulness of these as yet uncompleted courses has still to be ascertained.

Australian prisons differ in size, classification, and isolation.[39] Unlike its mainland counterparts, Tasmania has a single maximum security institution where inmates of all categories are accommodated.[40]

The other states have a variety of institutions ranging from the 'maxi-maximum' security prison,[41] such as Pentridge in Victoria, and

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[37]Three new prisons are due to be opened in Victoria whilst several are in the planning stages in Queensland.

[38]For example, The Governors Training Course, Office of Corrections, Victoria, and the Queensland Management Development Programme.

[39]Rinaldi, op.cit., provides a detailed account.

[40]There is a separate institution at Risdon for female inmates.

[41]A term now used to describe the American mega-fortress prison.

Long Bay in New South Wales, to the open plan prison farm found in most jurisdictions.[42] This thesis suggests that the managerial problems encountered at Risdon Prison are more varied, and of greater intensity, as a consequence of concentration of all inmate categories.

The thesis also focuses on prison managers. Rinaldi has pointed out that it is impossible "to give a pen picture of a typical prison, since no such institution exists".[43] It is similarly impossible to give a portrait of the 'average' prison manager in the Australian Prison System - due, largely, to the lack of centralised information, and a reluctance by those in charge of the prison systems to give access to information.[44]

General Propositions

1. That any organistional investigation of the prison must be taken from a 'closed systems' approach because the basic function of the prison is to effect control and maintain routine. Interaction with the task environment is confined to senior level system administration personnel (see Figure I) and responsible Minister.

2. That the prison is not easily identified within the various organisational models thus making investigation subject to typological constraint.

3. That, as yet, the techniques available for investigating management and staff interaction have little relevance in the prison setting.

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[42]Tasmania has an open prison farm for low security inmates.

[43]Rinaldi, op.cit., p.13.

[44]The author attempted to gain access to the Victorian system for study purposes but was told he had to be vetted first. Further,

4. That the changing philosophies have contributed towards the promulgation of diverse and contrasting models of prison management practice.

5. That the movement by Governments to assimilate prisons into combined larger Departments has, in the first instance, cemented their bureaucratic tendencies, and, second, provoked conflict by centralising decision-making thus forcing prison managers to become functional bureaucrats.

6. That, apart from external factors impinging on managerial practice, internal elements such as staff, inmates, and specialist attitudes, determine largely how the prison functions.

7. That despite the fact that prisons are undergoing very rapid change, little long-term planning can be discerned in Risdon Prison. Present managerial practice tends to be of an ad hoc nature, largely due to a centralised decision-making process.

8. That a small scale prison system, because of the diversity of inmate categories, must mirror the elements of the large scale system. The only practical solution is to set up discrete units with specially trained staff.

The Chapters are arranged generally to follow these propositions. Chapter I, 'Locating the Prison in Organisation Theory', briefly

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that not only was this subject to a security clearance but any materials for publication had to be cleared by the Victorian authorities - who had the power of veto on material they considered negative to the system.

discusses how the prison appears to have paramilitary tendencies based on the Military Model of organisations. It traces prison evolution from an autocracy to the fully fledged bureaucracy. The major part of the chapter is devoted to identifying the prison in the 'closed system' category. Use is made of Goffman's classes of 'total' institutions,[45] Etzioni's typology of compliance relationships,[46] and Blau and Scott's identification of organisational groups[47] to substantiate the first proposition. Thompson's three approaches for investigating the closed system, that is Weber's classical bureaucracy, Taylor's Scientific Management and Fayol's adminstrative management, are discussed as methodological tools.[48] An American example of the use of Fayol's principles, adapted for the Federal Prison System but using an 'open' systems approach, indicates the different managerial techniques applied in that country.[49] Other managerial and organisation theories such as Gulick and Urwick's POSDCORB,[50] Management by Objectives (MBO),[51] Likert's management control systems,[52] and McGregor's theory X and Y[53]

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[45]Goffman, E, Asylums, Harmondsworth: 1976, Pelican.

[46]Etzioni, A, A Comparative Analysis of Complex Organisations, Revised and Enlarged Edition, New York: 1975, The Free Press, Ch.1.

[47]Blau, P M, Scott, W B, Formal Organisations, San Francisco: 1962, Chandler, pp.42-45.

[48]Thompson, J D, Organisations in Action, New York: 1967, McGraw-Hill, Ch.1.

[49]Archembeault and Archembeault, op.cit., Ch.4.

[50]Gulick, L & Urwick, L, Papers on the Science of Administration, New York: 1937, Institute of Public Admin.

[51]Drucker, P, Management, London: 1979, Pan, Ch.6.

[52]Likert, R, New Patterns of Management, New York: 1967, McGraw-Hill, pp.223-224.

[53]McGregor, D, "Theory X and Theory Y", in Pugh, D S (ed) Organisation Theory, Harmondsworth: 1971, Penguin, pp. 305-323.

are examined to demonstrate their limited applicability in the prison setting, thus substantiating the second and third propositions. The Chapter concludes by attempting to place Risdon Prison within the framework of the theories offered.

Chapter II, 'External Constraints on Management Practice', examines the changing prison philosophies using Bowker's typology of penal philosophy.[54] It discusses the difficulties managers face in trying to implement policy when philosophy changes radically. Management practice models are considered, including the Justice Model for Corrections,[55] different types of Participative Management theories,[56] and Barak-Glantz's scheme for identifying management practices in the USA.[57] The second part of the Chapter gives a profile of American and English prison managers and suggests that managerial recruitment in Australia still seems to be based on the 'seniority' principle. The final part of the Chapter discusses Cohn's reasons for managerial failure[58] and argues that Cohn's claims are based on the prison being part of an 'open' system. It is suggested that Cohn's rationale is premised on the prison as a 'rehabilitative' system, rather than the

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[54]Bowker, op.cit., pp.38-55.

[55]Fogel, D, "...We are the Living Proof ... " The Justice Model for Corrections, Cincinnati: 1975, Anderson.

[56]Smullen, G J, "Recognising Inmate Groups: The Participation Management Model", Corrections Today, 435, 1981, pp.58-63.

[57]Barak-Glantz, I L, "Towards a Conceptual Schema of Prison Management Styles", Prison Journal, 61, No.2, 1981, pp.42-58.

[58]Cohn, A W, "The Failure of Correctional Management", Crime and Delinquency, July, 1973, pp.323-331.

present practice of containment. Finally, the philosophy and practice of Risdon Prison are discussed comparatively.

Chapter III, 'Internal Constraints on Management Practice', investigates the human variables which determine management practice. The first part of the chapter centres on the prison officer. It discusses his reasons for seeking employment in the prison setting and describes the effects his position has on his family. A review of his 'training' suggests that management view the officer primarily as a custodial agent. A summary of the officer's required educational qualifications indicates that he will not readily adapt to radical changes in practice and philosophy. The second part of the Chapter deals with the inmate. It considers managerial techniques designed to control the inmates, for example, classification, allocation of privileges, segregation, and special units. The third part of the Chapter deals with inmate programmes, their adaptation from other systems, and the problem of implementation. Staff and inmate attitudes to prison programmes are considered, and it is suggested that instead of aiding prison management, programmes act as a catalyst for staff and inmate discontent. A survey of prisoner programmes at Risdon demonstrates the gap between management and inmate perceptions. Palumbo's study on evaluating programmes suggests that further research is needed before programmes are implemented. The chapter concludes with an insight into the prison officer unions and their dealings with management.

Chapter IV, 'HMP Risdon', is a description of Tasmania's one, closed, facility. The Chapter analyses the paramilitary structure of the prison service with particular reference to the disadvantages of such a

hierarchical structure. The views on penal philosophy of recent Tasmanian Governments are considered and the Attorney-Generals' views on prison policy since 1960 reveal that the prison normally has had low ranking in Government priorities. The attitudes of Risdon Prison Officers are examined. The increase in their sick leave - prevalent in all Australian Prison Systems - suggests that morale is low, in part, because of a sense of managerial lack of direction. The interaction of Prison Officer Unions with Senior Management suggests that they, not the management, are the de facto controllers of prison policy and practice.

Chapter V, 'Evaluation of Risdon Prison Management', uses administrative management techniques to examine current Risdon management. The analysis suggests that the transition from Departmental status to Law Department assimilation is as yet unfinished. There also has been a lack of managerial initiative in developing techniques to cope with the reduced emphasis on the custodial function of Risdon Prison. At present there appears little likelihood of change and, in the present industrial climate, relations between management and staff give cause for concern.

In the 'Conclusion', it is suggested that the managerial task at Risdon will remain in its present state of uncertainty until the Tasmanian Government determines the purpose of the prison, and produces a policy that can be implemented.

Serious consideration must be given to improving the qualifications of the middle management team - the Chief Prison Officers - and a new rank structure should be created to bypass the 'deadwood' entrenched in the system. While there will always be differences between Management and

Prison Officer Unions, the Risdon Management must take the initiative and lead, rather than be led as at present. The concept of Unit Management must be introduced if Risdon is to contribute, in any sense, to penal development. It is finally suggested that a separate Prisons Division be established with the Senior Prison Manager directly responsible to the relevant Minister.

Limitations of the Study

Although there is no dearth of empirical research on prisons,[59] prison officers,[60] philosophies of punishment,[61] and inmates,[62] there is little detailed research on the management of prisons,[63] and those who are employed in a managerial capacity.[64] The bulk of the literature is American in origin and the remainder tends to be drawn from the United

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[59]For example, Cressey, D R, The Prison: Studies in Institutional Organisation and Change, New York: 1961, Holt, Rinehart & Winston; Fox, L W, The English Prison and Borstal Systems, London: 1952, Routledge & Kegan Paul; Hawkins, G, The Prison, Policy and Practice, Chicago: 1976, Uni. of Chicago Press.

[60]Lombardo, L X, Guards Imprisoned, New York: 1981, Elsevier, Thomas, J E, The English Prison Officer since 1830, London: 1972, Routledge & Kegan Paul.

[61]For example, Garland, D, & Young, P (Eds) The Power to Punish, London: 1983, Heinemann, Emery, F E, Freedom and Justice Within Walls, London: 1970, Tavistock.

[62]For example, Sykes, G M, The Society of Captives, Princeton, NJ: 1958, Princeton Uni Press, Prisons and the Prisoner, HMSO, 1977.

[63]For example, Archembeault & Archembeault, op.cit., Nelson, K E, & Lovell, C H, Developing Correctional Administations, Washington DC: 1970, Joint Commission on Correctional Manpower and Training Bawker, L H, Corrections: The Art and the Science, New York: 1982, McMillan.

[64]Nelson & Lovell, op.cit., Bowker, op.cit., especially Ch.5.

Kingdom. Australian interest has mainly been dominated by critiques of the prison system.[65] There has, also, been very little substantive research by investigators working in a prison managerial capacity.[66] The literature is also subject to investigator bias, and is generally condemned by prison managers as being unrealistic and lacking in prison knowledge. As McCleery comments, "Is there any answer to the charge of the experienced official against the academic consultant that, for all his degrees, titles, and statistics, he knows nothing about the prison, the state of the prison, or the prison state".[67]

The use of organisational theory and management principles in the prison setting cannot be successfully evaluated in the short term. In jurisdictions where they are being applied, or adapted to suit the prison environment, insufficient data is generally available to ascertain success, or failure.

Sources and Methods

Part of the methodology chosen for the thesis is that of the case study approach. The difficulty with this technique lies in using one prison

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[65]See especially, Vinson, T, Wilful Obstruction, North Ryde, Sydney: 1982, Methuen. Tomasic, R & Dobinson, I, The Failure of Imprisonment, Sydney: 1979, Allen & Unwin, Zdenkowski, G, & Brown, D, The Prison Struggle, Ringwood: 1982, Penguin, Findley, M, The State of the Prison, Bathurst: 1982, Mitchellsearch.

[66]One exception being Andrew Coyle, the Governor, Greenock Prison, Scotland - see Coyle, A G, The Organisational Development of the Scottish Prison Service with Particular Reference to the Role of the Prison Officer, unpublished PhD Thesis, University of Edinburgh, 1986.

[67]McCleery, R H, quoted in Hazelrigg, L (Ed) Prison within Society, New York: 1968, Anchor.

as a general indicator of prison management practice. However, Kast and Rosenzweig point out that when studying organisations and their management, "there is a continuum between uniqueness and similarity".[68] The unique concept is demonstrated by the supposition that

> each organisation is distinct in the same sense that every individual is distinct.[69]

The authors maintain that where the organisation is viewed as a "unique social system" then the method of analysis is the case study.[70] However, at the other end of the continuum is the similarity concept. This suggests that

> global theories ... may be developed which apply to all organisations.[71]

Kast and Rosenzweig point out that these abstract and general models are

> inoperable in explaining the variables in an individual situation.[72]

They mention that when applying comparative organisational analysis

> it is appropriate to operate somewhere between the individual case study and the global theory.[73]

There is a public perception that all prisons are similar. Prisons, however, are as diverse in practice and operation as other public and

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[68]Kast, F E & Rosenzweig, J E, Organisation and Management: A Systems Approach, New York: 1970, McGraw-Hill, p.529.

[69]ibid.

[70]ibid.

[71]ibid.

[72]ibid.

[73]ibid.

private sector organisations which operate similar technologies. This can be clearly exemplified by using the methodological tools of 'domain' and 'task environment'.[74] Thompson claims that it is essential that "all organisations must establish ... a domain".[75] A domain takes into account the type of product or service rendered and the population served.[76] Thus, the prison receives those people who are sentenced by the courts to a period of confinement, and it serves the population of a certain jurisdiction. However, no two organisations are identical in terms of domain;

> prisons may be prisons at one level of analysis, but the concept of domain may prevent us from making inappropriate comparisons of prisons with very different domains.[77]

The organisation's domain

> identifies the points at which [the prison] is dependent on inputs from the environment.[78]

Direct inputs may be identified as, for example, the courts, food and medical provisions, and indirect, as, for example, educational and recreation facilities.

Thompson uses the concept of 'task environment' to refer to "everything else".[79] The task environment denotes

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[74]'Domain' is a term formulated by Levine & White (1961), 'Task Environment' is a notion used by Dill (1958). For a full description of those separate but related functions see Thompson, op.cit, pp.26-29.

[75]ibid, p.26.

[76]ibid.

[77]ibid.

[78]ibid, p.27.

[79]ibid.

> these parts of the environment which are relevant or partially relevant to goal setting and goal attainment.[80]

The task environment is made up of people: "customers" (in and out of the system); "suppliers" (labour, capital, equipment and workspace); "competitors" (resources allocation within Departments); and "regulatory groups" (the various people involved in the Criminal Justice System).[81] Thompson makes it clear that, like domains,"no two task environments are identical".[82] Using 'domain' and 'task environment' for analysis, it becomes clear that comparisons between two or more prisons may not give a clear indication of specific managerial practice. Each prison manager, however, must maintain the three 'C's' of institutional practice - custody, care and control.[83]

The techniques for investigating practice at Risdon Prison have been based upon principles of administrative management. It is argued later that the prison is not only a 'closed' system but, to a large extent, a functional bureaucracy. The primary assumption behind administrtaive management principles is that a master plan is known.[84] By using this, the organisation can effect specialisation and control.[85] However, it should be pointed out that use of these principles tends to emphasise

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[80] ibid.

[81] ibid, p.28.

[82] ibid.

[83] Kalinich, D B, Pitcher, T, Surviving in Corrections, Springfield, Illinois: 1984, Thomas, p.35.

[84] Thompson, op.cit., p.5.

[85] ibid.

the weaknesses rather than the strengths of the system under investigation.

Although access to Law Department and Prison Division files was unrestricted, they contained little relevant information, or were deficient in detail.

Interviews were conducted with former Attorneys-General and Senior Prison Managers; of these, some provided considerable insights, and others were unproductive. Some requested interviews failed to eventuate.

CHAPTER I

LOCATING THE PRISON IN ORGANISATION THEORY

Commentators have claimed that, prior to the Second World War, the traditional prison was an autocracy.[1] Its one purpose was to maintain custody of the inmate.[2] To accomplish this the prison developed a rigid and highly stratified hierarchy based on the lines of a military organisation.[3] Indeed, the history of the development of the modern prison system is inextricably linked to the bureaucratic military model.[4] Both staff and inmates wear uniforms and are subject to rules and regulations.[5] Prior to the centralisation of the English Prison System in 1877[6] those charged with administering the various prisons tended to promote this militaristic mode.[7] Recruits for prison work were, by and large, "NCO's and half-pay army officers" selected on the assumption that their service training enabled them to accept and enforce discipline.[8] As Thomas has pointed out, a

> paramilitary staff structure [based on the Military Model] had been the backbone of the convict service since its inception in 1850.[9]

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[1]For example, see Bowker, op.cit., and Barak-Glantz, op.cit.

[2]ibid.

[3]Thomas, op.cit, Ch.3.

[4]ibid.

[5]On admission inmates are usually given a list of 'do's' and 'dont's'. Likewise, the officer recruit receives his standing orders.

[6]Thomas, op.cit., Ch.4.

[7]ibid, Ch.3.

[8]Ignatieff, M, A Just Measure of Pain, London: 1978, Macmillan, p.104.

[9]Thomas, op.cit., p.40.

It logically followed that on centralising the English Prison Service the paramilitary practice continued, and

> ... it has persisted, substantially unchanged ... [and] is found in its essentials, in every prison service in the world.[10]

Concomitant with the paramilitary nature and development of the prison has been its evolution from an autocracy to a fully-fledged bureaucracy.[11] Many of the reasons for this are to be found in the post World War II era.[12] Openness and accountability suddenly became the cornerstones of prison philosophy. Further, the move to assimilate prisons into other government agencies added to this bureaucratisation by placing decision-making in a central body. Another factor in this process was the introduction into the prison system of the 'specialist' who, in the post-Second World War emphasis on rehabilitation, devised and ran the inmate programmes designed to effect inmate behavioural change. As most of these specialists - e.g. psychiatrists, psychologists, social welfare workers, etc - were the products of other government medical bureaucracies, they brought with them into the system a penchant for bureaucratic ritual which the fledgling prison bureaucracy observed and refined for its own use. Any investigative research on government agencies highlights the attempts by the hierarchical heads to achieve a superior form of bureaucracy. In his investigation of regulatory bodies Loevinger commented

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[10] ibid, p.41.

[11] See discussion by Barak-Glantz, op.cit., pp.45-46; Coyle, op.cit., p.326.

[12] Barak-Glantz, op.cit., p.44.

> [t]here are bureaucracies which are engaged in tasks other than regulation; but it is impossible to imagine regulation operating without a bureaucracy. Typically bureaucracy is the structure and regulation is the function and each implies the other.[13]

Again, as Thomas succinctly argues to change management and staff notions of the prison operation

> would mean reversing a trend which has been in evidence for some time ... the evolution of a classic Weberian bureaucracy.[14]

The Prison in Organisational literature 1.1

There are few expositions of the prison which examine the prison from an organisational approach. Indeed, little attempt has been made to 'fit' the prison into organisational theory. Most prison studies label the institution as a bureaucracy and then move on to another variable such as staff and inmate interaction or prison conditions. One recent work, however, has addressed the issue albeit in a limited form.[15] Archembeault and Archmebeault claim that the prison must be investigated within an 'open-systems' framework. Simply, the open-system strategy views the organisation as "a set of interdependent parts which together make up a whole because each contributes something and receives something from the whole, which in turn is interdependent with some

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[13]Loevinger, L, quoted in Mintzberg, H, The Structuring of Organisations, Englewood Cliffs, NJ: 1979, Prentice Hall, pp.331-332.

[14]Thomas, J E, "Managing the Prison Service" in King, R D, & Morgan, R, The Future of Prisons, Farnborough: 1980, Gower, pp.134-159, p.138.

[15]Archembeault and Archembeault, op.cit.

larger environment".[16] This investigative strategy presupposes the prison to be part of an overall criminal justice system comprising the police, prosecution, courts and corrections (prisons, probation and parole departments).[17] It is argued here, however, that an investigation of the prison per se must be undertaken from a 'closed systems' perspective.

With a closed-systems strategy the organisation seeks to avoid uncertainty and achieve determinateness.[18] The manner in which this will be achieved depends on first, the particular organisation, and second, the measures used to effect closure. The prison - as a single institution and as a system - must be considered closed as its very nature epitomises this. A view of the maximum security prison plainly shows a closed environment in terms of walls, concrete balustrades, perimeter towers, and perimeter fencing. The 'core technology' of prisons - the inmates - have very little interaction with the outside world and any such interaction is subject to scrutiny and control. Prisons attempt to keep their particular environment in a state of prediction, that is, measures are taken to clarify all known variables - inmate movement and receiving of inmates, custody and control - and contingency plans promulgated to combat uncertainty. Prisons may only be considered open-systems at the apex of the managerial level (see Introduction, P.11, Fig 2) and at Ministerial level where outside forces such as other Government Agencies and interest groups impinge.

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[16]Thompson, op.cit, p.6.

[17]For a good account of this system, see Newman, D J, Introduction to Criminal Justice (2nd edn) New York: 1975, Lippincott.

[18]Thompson, op.cit., p.4.

The argument for a closed-systems approach is strengthened by a consideration of Goffman's analysis of the prison as a total institution.[19] Goffman lists organisations into five 'rough groupings'. These are, first, homes for persons felt to be incapable and harmless, for example, "homes for the blind, the aged, the orphaned and the indigent";[20] second, places such as mental hospitals and sanitariums; third, jails, penitentiaries, POW camps and concentration camps; fourth, institutions

> purportedly established the better to pursue some worklike task and justifying themselves only on instrumental grounds. Such institutions include army barracks, ships, boarding schools, work camps ...[21]

Goffman's final category is establishments designed as retreats, "abbeys, monasteries, convents, and other cloisters".[22] Goffman's description of the prison is quite explicit:

> First; all aspects of life are conducted in the same place and under the same single authority. Second, each phase of the member's daily activity will be carried out in the immediate company of a large batch of others, all of whom are treated alike and require to do the same thing together. Third, all phases of the day's activities are tightly scheduled, with one activity leading at a pre-arranged time into the next, the whole circle of activities being imposed from above through a system of explicit formal rulings and a body of officials. Finally, the contents of the various enforced activities are brought together as part of a single overall rational plan purportedly designed to fulfil the official aims of the institution.[23]

Goffman's perception of the prison as a total institution has been supported by others who have described it as a "self sufficient social

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[19]Goffman, E, Asylums, Harmondsworth: 1961, p.16.

[20]ibid.

[21]ibid.

[22]ibid.

[23]Goffman, E, "The Characteristics of Total Institutions", in

island"[24] and a "total social system".[25] According to Eaton,

> Prisons are islands of social interaction in which administrative planning aims to exercise what approximates absolute control of inmates in order to accomplish several socially sanctioned purposes.[26]

These include segregation from society for a particular period, the protection of society, and, hopefully, change in the criminal's behaviour. If the latter is true then prisons may be regarded as

> members of a more general class of organisations which are called socio-psychological or people-changing institutions.[27]

These types of institutions

> work directly on people ... their primary tasks are formally defined in terms of controlling and changing social status and behaviour of human beings.[28]

Like Williams, Emery classifies prisons into the social psychological changing category.[29] He, however, claims they differ in respect to all other types in that the prison

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Etzioni, A, A Sociological Reader on Complex Organisations, New York: 1969, Holt, Rinehart, and Winston, p.314.

[24]Korn, R R, and McCorkle, L W, Criminology and Penology, New York: 1967, Holt, Rinehart & Winston.

[25]Eaton, J W Stone Walls Not A Prison Make, Springfield, Illinois, 1962, Thomas.

[26]ibid, p.vii.

[27]Williams, T A, Custody and Conflict: an organisational study of role problems and related attitudes among prison officers in Western Australia, unpublished PhD Thesis, Uni. of Western Australia, 1974, p.14.

[28]ibid.

[29]Emery, F E, Freedom and Justice Within Walls, The Bristol Prison Experiment, London: 1970, Tavistock, p.2.

> is based on the premise of doing something against the wishes of inmates, and usually against their interests.[30]

Further, Sykes views the prison as representing a social system which attempts to exercise

> total social control through the use of a bureaucratically organised administrative staff ...[31]

The prison falls within Etzioni's coercive/alienative typology (see Figure I). In this typology compliance refers both to the relationship in which one individual behaves in accordance with a directive supported by another's power or authority and the reaction of the individual to the power applied. Etzioni posits three types of organisational power affecting subordinates: purely coercive power; utilitarian power, based on control over resources and rewards; normative power, comprising praise, esteem and acceptance.

Figure I TYPOLOGY OF COMPLIANCE RELATIONSHIPS: POWER, INVOLVEMENT AND THE CONGRUENT RELATIONSHIPS

TYPES OF INVOLVEMENT	TYPES OF POWER		
	COERCIVE	UTILITARIAN	NORMATIVE
ALIENATIVE	1	4	7
CALCULATIVE	2	5	8
MORAL	3	6	9

[32]

According to Etzioni, organisations which are coercive include prisons and custodial mental hopsitals: Utilitarian organisation examples are

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[30] ibid.

[31] Sykes, op.cit., p.xv.

[32] Adapted from Etzioni, A, A Comparative Analysis of Complex Organisations, Glencoe, Illinois: 1961, p.12, by Hrebiniak, L G, Complex Organisations, St Paul: 1978, West, p.334.

business firms. Normative organisations include religious institutions. As with power relationships, there are three types of involvement: alienative, calculative, and moral. Alienative, indicates a strong negative orientation of the subordinate; calculative is based upon balancing the rewards of the organisation; and moral suggests a positive, highly intensive orientation.[33] By combining the power and involvement elements a typology can be formulated, based on the compliance relationships in which nine types are possible.

Etzioni suggests, however, that the probability of occurence is not equal to all nine types. He argues that the type of involvement depends on the type of power used by the organisation. He does point out that there is a tendency for organisations to group in certain cells - 1,5,9. This is a direct result of the congruence between types of power and involvement. Etzioni points out that where coercive power is used alienation is the most likely response of those remaining in the organisation. Where utilitarian power is used, those within the organisation will judge whether their work equates with the rewards offered. Where normative power is used those in the organisation will identify specifically with it and fully accept the standards set by it.[34]

Etzioni claims that there is an association between the compliance relationships and the organisation's stated goals[35]

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[33]Hrebiniak, op.cit., p.333.

[34]Etzioni, A, A Comparative Analysis of Complex Organisations, Revised and Enlarged edition, New York: 1975, Th Free Press, Ch.1.

[35]ibid, Ch.5

> Organisations with order goals attempt to control actors who are deviant in the eyes of some social unit the organisation is serving (frequently society) while segregating them from society and by blocking them from further deviant activities. This is a negative goal in the sense that such organisations attempt to prevent the occurence of certain events rather than producing an objective or a service. Order-centred organisations differ according to the techniques and means they use to obtain their goals. Some merely segregate deviants; others segregate and punish; and still others eliminate deviants altogether. But all are predominantly order-oriented.[36]

Another view is that organisations can be categorised according to the membership.[37] Blau and Scott point out that four basic groups of persons can be identified in relation to any formal organisation:

1. the members or rank-and-file participants

2. the owners or managers of the organisation

3. the clients or, more generally, the 'public-in-contact' that is the people who are technically 'outside' the organisation yet have regular, direct contact with it, under whatever label - patient, customer, law violator, prisoner, enemy soldier, student; and

4. the public-at-large, that is, the members of the society in which the organisation operates.[38]

Blau and Scott posit a typology to classify organisations on the principle of CUI BONO - who benefits. In each of the types of organisation there is a prime beneficiary. The authors, however, are

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[36] ibid, pp.104-105.

[37] Blau, P M, & Scott, W R, Formal Organisations, San Francisco: 1962, Chandler, pp.42-45.

[38] ibid.

careful to point out that the prime beneficiary is not the only beneficiary,

> for each of the various groups who make contributions to an organisation does so only in return for certain benefits received.[39]

There are four 'pure' types of organisation according to this analysis:

1. Mutual benefit associations: CUI BONO - membership

2. Business concerns: CUI BONO - owners

3. Service organisations: CUI BONO - client in contract

4. Commonweal organisations: CUI BONO - public at large[40]

Prisons are placed in the fourth category - Commonweal organisations. It is suggested that the real purpose of the Blau-Scott typology is the identification not of the prime beneficiary, but of problems and the contingencies undertaken to combat these.[41] The prison's major problem lies in control - external verses internal. External control through the relevant governing body is essentially democratic. However, the internal control mechanism

> is expected to be bureaucratic, governed by the criterion of efficiency, and not democratic.[42]

The critical issue in Commonweal organisations is one of control and power[43] If, as Hrebiniak suggests, it is necessary for the prime

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[39] ibid.

[40] ibid

[41] ibid.

[42] ibid.

[43] Hrebiniak, op.cit., p.332.

beneficiary in Commonweal organisations - the public - to maintain some of the control over management and aims of, for example, the prison,[44] the decision-making process is abrogated by management and placed in the hands of a central authority.

The triple themes of bureaucracy, power, and order have been described by various authors as the basic ingredients required in the prison setting.[45] While some have focused on one or two variables, it is suggested that a knowledge of all three is necessary to begin an investigation of any prison or prison system.

Bureaucracy 1:2

Classical Weberian legal-rational theory offered a number of characteristics towards which managers should strive:

1. a clear division of labour into highly specified jobs
2. selections and promotion on the basis of merit to meet prescribed position specifications
3. adequate technical training for all employees
4. a set hierarchy of jobs and office
5. formal rules and regulations which define how the organisation is to operate and how authority is allocated
6. the design and implementation of an adequate control system
7. a clear separation between personal and business lives of all employees
8. a clearly defined career structure
9. set salaries and benefits

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[44] ibid.

[45] See, for example, Thomas, op.cit.; Coyle, op.cit.; Etzioni, op.cit. Sykes, op.cit.

10. obedience to authority vested in specific positions.[46]

Weber investigated bureaucracy as part of the role of authority in society. His pure model cannot give an accurate reflection of the modern prison. The rise of the prison officer unions, for example, which question both Government and managerial motives, and actively call for management's dismissal[47] makes this typology only useful to compare the theory with the practice. However, the notion of order links directly with formal theories of bureaucracy. Prisons run on order and routine. Routine is explicitly defined by bureaucratic fiat. As Coyle points out

> All prisons are structured on a hierarchical system of custodial ranks and any innovation which cannot be achieved within this hierarchy must either modify or evade this rank structure.[48]

But evading this rank structure, based on Weber's legal-rational form of bureaucracy, could throw the system into a state of uncertainty; and, as organisations using a closed system approach attempt to reduce uncertainty by reducing the number of variables operating on its technical core, it would appear unlikely that this would be the case. A corollary of order and routine is stability. Organisations which seek to achieve relatively stable conditions have been labelled as 'mechanistic'.[49] A mechanistic management system appropriate to stable conditions is characterised by

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[46]Stoner, J A F, Collins, R R, Yetton, P W, Management in Australia, Sydney: 1985, Prentice-Hall, p.49.

[47]For example, after the Parklea riot in NSW, the Prison Officers Association called for the management to stand aside as they "no longer had any confidence in them", media broadcast, 14.11.87.

[48]Coyle, op.cit., p.134.

[49]Burns, T, "Mechanistic and organismic Structures" in Pugh, D S, (ed) Organisation Theory, Harmondsworth: 1971, Penguin, pp.43-55.

1. The specialised differentiation of functional tasks into which the problems and tasks facing the concern as a whole are broken down.

2. The abstract nature of each individual task, which is pursued with techniques and purposes more or less distinct from those of the concern as a whole.

3. The reconciliation, for each level in the hierarchy, of these distinct performances by the immediate superiors.

4. The precise definition of rights and obligations and technical methods attached to each functional role.

5. The translation of rights and obligations and methods into the responsibilities of a functional position.

6. Hierarchic structure of control, authority and communication.

7. A reinforcement of the hierarchic structure by the location of knowledge of actualities exclusively at the top of the hierarchy.

8. A tendency for vertical interaction between members of the concern i.e. between superior and subordinate.

9. A tendency for operations and working behaviour to be governed by superiors.

10. Insistence on loyalty to the concern and obedience to superiors as a condition of membership.

11. A greater importance on prestige attaching to internal (local) than to general (cosmopolitan) knowledge, experience and skill.[50]

Although Burns and Stalker based their mechanistic typology on investigations into the electronic industry in Britain its assumptions are parallel with formal theories of bureaucracy. In fact, the authors' claim that mechanistic sytems are the rational bureaucracy of an earlier generation.[51] The application of this typology to the present

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[50] ibid, pp.49-50.

[51] ibid, p.48.

Australian Prison System would be a useful analytic tool, perhaps with more validity than a straight rational-legal approach. The difficulty in determining a precise approach is that all prisons are different.[52] Does the investigator examine one particular prison and generalise from that result to the rest of the system of which his focus is part? Or, does he attempt to survey the entire system and make generalisations hoping that these will help explain the individual institution? These difficulties are compounded by the movement of the English and Welsh, Scottish and Australian systems to centralise decision-making in head office. By taking the major decision-making process away from the specific prison environment, those charged with overseeing policy, are cementing what Mintzberg labels 'machine bureaucracy'.[53]

According to Mintzberg, machine bureaucracy applies where there is routinisation, repetitiveness, and standardisation.[54] It is typified by a proliferation of rules and regulations, and an elaborate administrative structure.[55] Among several groups of organisations which exhibit common structural characteristics - all definitive of machine bureaucracy - is the custodial prison.[56] There are arguments, however, that prisons cannot be placed into such a determinate category. As Cressey has pointed out, prisons cannot be labelled as either purely

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[52]Rinaldi, op.cit.

[53]Mintzberg, H, The Structuring of Organisations, Englewood Cliffs, NJ: 1979, Prentice-Hall, Ch.18.

[54]ibid.

[55]ibid.

[56]ibid.

custodial or purely treatment. They can only be custodially 'oriented' or treatment 'oriented'.[57] Perhaps the May Report sums up the present state of most prisons when, on investigating the English Prison System, it recommended that "Positive Custody" be the dominant philosophical mode and the hoped for practice.[58] This concept has also been termed 'Humane Containment'.[59] That containment is clearly the task of the prison has been argued by Coyle.[60] Another view is that prisons do little more than confine inmates.[61] Whatever views are held on the purpose of prisons, the major task by Governments is managing them. The difficulty in achieving this is clearly summed up by Maguire et al,

> prison administration is a much more pragmatic business than any discussion of abstract models can portray.[62]

The authors emphasise that prisons are "closed and total institutions".[63]

In the course of his analysis Etzioni defined three specific characteristics which are intrinsic to all organisations. They are:

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[57]Cressey, D R, "Prison Organisations" in March, J G (ed), Handbook of Organisations, Chicago: 1965, Rand McNally, p.1032.

[58]Vagg, J, Morgan, R, & Maguire, M, "Introduction: Accountability and Prisons", in Maguire, M, Vagg, J, & Morgan R (Eds) Accountability adn Prisons, London: 1985, Tavistock, p.9.

[59]Richardson, G, "The Case for Prisoner's Rights" in Maguire et al, op.cit., p.24.

[60]Coyle, op.cit. pp.110-134.

[61]Gostin, L, Staunton, M, "The case for prison standards: conditions of confinement, segregattion, and medical treatment", in Maguire et al, op.cit., pp.82-96.

[62]Vagg et al, op.cit., p.9.

[63]ibid, p.5.

> Divisions of labour, of power, and of communication responsibilities, such divisions being deliberately planned to achieve certain goals. The pressure of power-centres which control the concerted efforts of the organisation and continually review its performance and re-pattern its structure, where necessary, so as to increase its eficiency. The substitution of personnel, that is, unsatisfactory persons can be removed and others assigned their tasks, and people can be transferred and promoted.[64]

All these characteristics can be applied to the prison, indeed to any organisation as Etzioni has pointed out, but do they really help to determine a prison managerial practice typology?

Authors surveyed so far have all stressed characteristics of organisations in which the prison can be placed - the notion of a bureaucratic, control-oriented, mechanistic, closed-system. A major difficulty arises when organistion theorists are used to investigate prison managment practice despite their contribution to our general understanding of organisations. Pugh has pointed out that theorists such as Weber, Gouldner, Etzioni (structure) Fayol, Barnard, Cyert and March (functioning) Taylor, Simon, Drucker (management) Mayo, Argyris, Herzberg (people in organisations) and Whyte, Boulding and Galbraith (the organisation in society) have attempted to bring together information about how organisations function, and how this should be managed,[65] that is

> they have tried to discover generalisations applicable to all organisations.[66]

The prison, however, is unlike any other organisation - except other prisons, and even this has been questioned by Fiori.[67] Not only are

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[64]Etzioni (1964) op.cit., Ch.3.

[65]Pugh, op.cit., p.9.

[66]ibid.

[67]Fiori, op.cit.

most residents of prisons incarcerated against their will but the categorisation of most prison inmates into different holding establishments may mean that a generalised view of prison management practice may not be methodologically sound enough to posit a typology for a specific institution. However, as with any organisation some general managerial traits are mandatory.

As this study of prison managerial theories and practices views the prison as a closed-system, the works of some closed-system theorists will be used as analytical tools to determine necessary prison managerial traits.

Thompson describes three schools of thought which can be used as analytical tools into closed-system organisations.[68] First is Scientific Management - which eliminates uncertainty and effects closure of the organisation by assuming all goals are known, tasks are repetitive, and resources are available in uniform qualities.[69] Second is Administrative Management - which involves economic efficiency and achieves closure by assuming a master plan is known.[70] Third, Bureaucracy - in which the ultimate criterion is efficiency. This approach assumes closure of the organisation by clearly defining tasks, a set of rules and regulations which are strictly applied and rigidly followed, and a formalised authority structure depersonalising the position incumbents.[71] As Bureaucracy has been described earlier, a

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[68]Thompson, op.cit., pp.5-6

[69]ibid.

[70]ibid.

[71]ibid.

review of Scientific Management and Administrtive Management is necessary to determine the applicability of each to managerial practice. Administrative Management principles derived from Fayol have been adapted for prison use by Archembeault and Archembeault, and it is this typology which will be presented later.

Scientific Management 1:3

Taylor's management principles were designed with standardisation as the focal point of the organisation. His system, which he labelled 'functional management', laid down four underlying tenets: management should

a) develop a scientific analysis for each element of a man's work;
b) scientifically select, train, teach, and develop workers;
c) cooperate with the men to insure adherence to the principles of scientific management; and
d) guarantee a division of work and responsibility with management and subordinates assuming these duties for which they are best qualified.[72]

The use of Scientific Management principles in the prison setting may have been useful in the early American Penitentiary system and its English counterpart at the Pentonville Model Prison. These early institutions were based on repetition, silence and order. The 'congregate' system allowed no deviations from the established order. The modern prison system, however, has become increasingly complex. The rapid changing power structure - away from management and towards prison officer unions and inmates - combined with an environment where all elements of prison philosophical modes are in operation in the same

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[72]Taylor, F W, in Pugh, D S, Hickson, D J, Hinings, C R (eds), Writers on Organisation (2nd edn) Harmondsworth: 1964, Penguin, pp.97-192.

institution in varying degrees (restraint, revenge, reform, and reintegration) has meant that Scientific Management principles have little validity in the contemporary prison.

Administrative Management[73] 1:4

(1) Division of Work: Specialisation

Prison work is complex, and, no one person can perform all tasks nor make all necessary decisions. Specialised training for specialised work must be given, and is the responsibility of management. Services should be broken down into functional units.

(2) Delegation of Authority

Each subordinate in the prison must be delegated the authority necessary to carry out his functions. Subordinates are accountable but the superior never relinquishes responsibility. A subordinate's failure is the supervisor's failure for which the supervisor is also accountable.

(3) Discipline

All employees of the prison must be governed by a uniform set of rules and conformity to these must be expected if order is to prevail. Positive discipline is a healthy characteristic of the prison, negative discipline is not.

(4) Unity of Command

Subordinates are responsible to one and only one superior. When subordinates receive orders from multiple superiors, it often leads to

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[73]These principles were adapted from Fayol, H, General and Industrial Management, London: 1949, Pitman & Sons, pp.19-20, by Archembeault

confusion, resentment, and inefficency, amongst others. According to this principle, the legal authority of the prison is vested in the top administrator (e.g. Governor or Warden). He delegates lawful authority through the chain of command to his subordinates - managers and staff - and eventually to inmates. Hence, the authority exercised by the prison officer is that of the top administrator.

The authors claims that two other related concepts of organisation are relevant to Unity of Command: a) Span of Control and b) Levels of organisation.

a) Span of Control holds that no supervisor should be responsible for more subordinates than he can effectively manage. The ratio should be determined by complexity of work, frequency of supervisor-to-subordinate contact, competency of subordinates, personal characteristics and competency of the supervisor, types and number of inmates. The authors suggest that, ideally the supervisor should control no less than five or more than twelve subordinates.

b) Levels of Organisation There is a close relationship between span and number of levels of organisation. The narrower the span, the greater number of supervisors required. Thus, unity of command makes it necessary to create a higher level of supervision to whom a group of supervisors must report.

(5) Unity of Direction

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and Archembeault, op.cit., pp.70-80.

This principle means that the prison must totally commit its resources towards the accomplishment of its goal.

(6) Subordination of Individual Interests

This means that every individual in the prison must surrender a certain amount of individual self-interest to the overall good of the prison. It also holds that prison employees should receive salaries and benefits commensurate with those granted in the private sector requiring similar education, training, and responsibility.

(7) Centralised decision-making and communication through channels

Centralisation means that power should be vested in a centralised point. Decision-making is retained at higher levels and orders are communicated downward. Information regarding feedback on these decisions should flow back up to the centralised point.

(8) Order

Everything has a place. Rules, regulations, procedures, mannerisms and personal appearances of staff are important.

(9) Equity within the Prison

All members of staff, and all units should be treated equally. To be effective, management must enforce this principle.

(10) Retention of personnel

It is to the prisons advantage to retain staff with training and experience. It is also mandatory that further training be given to make the job as varied and interesting as possible.

(11) Management and Initiative

Management has a duty to motivate subordinates to perform to the best of their ability. Recognition must be given to these subordinates who exercise personal initiative.

(12) Esprit de corps

Management must build a high degree of morale in the prison. The quality of the prison's leadership is reflected in the morale of its staff.[74] (These principles will be referred to in Chapter V 'Evaluation of Risdon Prison Management').

Of the three theories for investigating closed-system organistions proposed by Thompson, it would appear that Bureaucracy and Administrative Management can be used to ascertain specific prison managerial practices, but only in the light of the requirements laid down by Weber and Fayol. The framework offered by both theorists was formulated from study of organisations where members were willing participants. The prison has two elements in the managerial direction process - the willing (the staff) and the unwilling (the inmate). Does this mean that the prison manager must have two separate strategies to deal with each element? It should be noted that Archembeault and Archembeault's adaptation of Fayol's principles was particularly oriented towards staff. Are there any principles or theories which may be applied to the prison and can be used to manage both staff and inmates? A review of contemporary prison literature may indicate whether any of the propositions offered have merit.

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[74] ibid.

Archembeault and Archembeault in their discussion of correctional supervisory management make a distinction between organisational and management theories.[75] They maintain that

> The distinctions between organisation and management theories are more a matter of emphasis and scope than of anything else. Organisational theories emphasise structure and concern the total organisation, whereas management theories emphasise specific processes within the larger organisation.[76]

They begin their analysis by a survey of Weberian organisational principles claiming that they are

> alive and well today and are being used ... especially in adult custody institutions.[77]

They suggest that Weber's propositions can easily be recognised by looking at any prison organisation chart.[78] Folllowing on from this, the authors' use Fayol's administrative management principles and apply them to the prison setting (see Section 1:4 this Chapter).

Archembeault and Archembeault follow their adaptation of Fayol's principles by giving a description of all the other organisational theories they see as relevant to prison management although oriented to the open-systems framework. These include scientific management,[79] Gulick and Urwick's POSDCORB - planning, organising, staffing, directing,

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[75]Archembeault and Archembeault, op.cit., Ch.4.

[76]ibid, p.68.

[77]ibid, p.69.

[78]ibid, p.70.

[79]Taylor, op.cit.

coordinating, reporting and budgeting.[80] PPBS - programme, planning and budgeting system,[81] Zero-Based Budgeting,[82] MBO - management by objectives,[83] among others. In a primer for prison managers in America, Keating[84] surveys most of what Archembeault and Archembeault have covered but adds Ouchi's theory Z, Herzberg's motivation - hygiene theory, Maslow's hierarchy of needs, and McGregor's theory of X and Y.[85] Whilst it is clear that most, if not all, of these theories have relevance to the prison setting, and, again, most can be used as indices of managerial practice, the choice of approach depends upon the particular investigator's bias. It could be that the prison management function does not need a theoretical approach applied to it. Indeed, it may well be that prison administration may prove that management does not require a particular approach. As Waldo points out, in some organisations

> Things somehow run themselves without the interventions indicated by such terms as organisation, administration, management.[86]

Additionally, Waldo maintains there are doubts about the 'scientific' status of management knowledge. He claims there are those who see management

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[80]Gulick, L & Urwick, L, Papers on the Science of Administration New York: 1937, Institute of Public Administration.

[81]Quoted in Archembeault & Archembeault, op.cit., pp.84-86.

[82]Phyrr, P A, Zero Based Budgeting, New York: 1973, Wiley.

[83]Drucker, P, Management, London: 1979, Pan, Ch.26.

[84]Keating, J M, Handbook for Special Masters, 1985, unpublished.

[85]ibid.

[86]Waldo, D, M "The Prospects of Public Organisations" in Bozeman, B, & Straussman, J (eds) New Directions in Public Administration, Monterey: 1984, Brooks/Cole, pp.7-14, p.7.

as a practical skill only, a combination of personal attributes and experience.[87]

Among the relatively few writings on prison management practice there appears to be three commonly acknowledged approaches. These are Fayol's model (already discussed), Gulick and Urwick's POSDCORB and MBO.

Gulick and Urwick's POSDCORB 1:5

Used as an acronym for the various functions a manager should perform:

Planning - the long-term mapping out of goals and methods and authority structures necessary to achieve the goals.

Organising - facilitating men, material and resources in a determinate fashion.

Staffing - recruiting, training, appraising individuals and providing the necessary instructions, or delegating authority, which enables subordinates to view the office holder in a leadership role.

Coordinating - bringing together all the components of the organisation in a disciplined manner.

Reporting - keeping superiors and subordinates alike apprised with the organisation's situation, its problems and progress of operation. Also includes such functions as research, record keeping, and inspection.

Budgeting - refers to fiscal planning, allocating, accounting, control and acquisition.[88]

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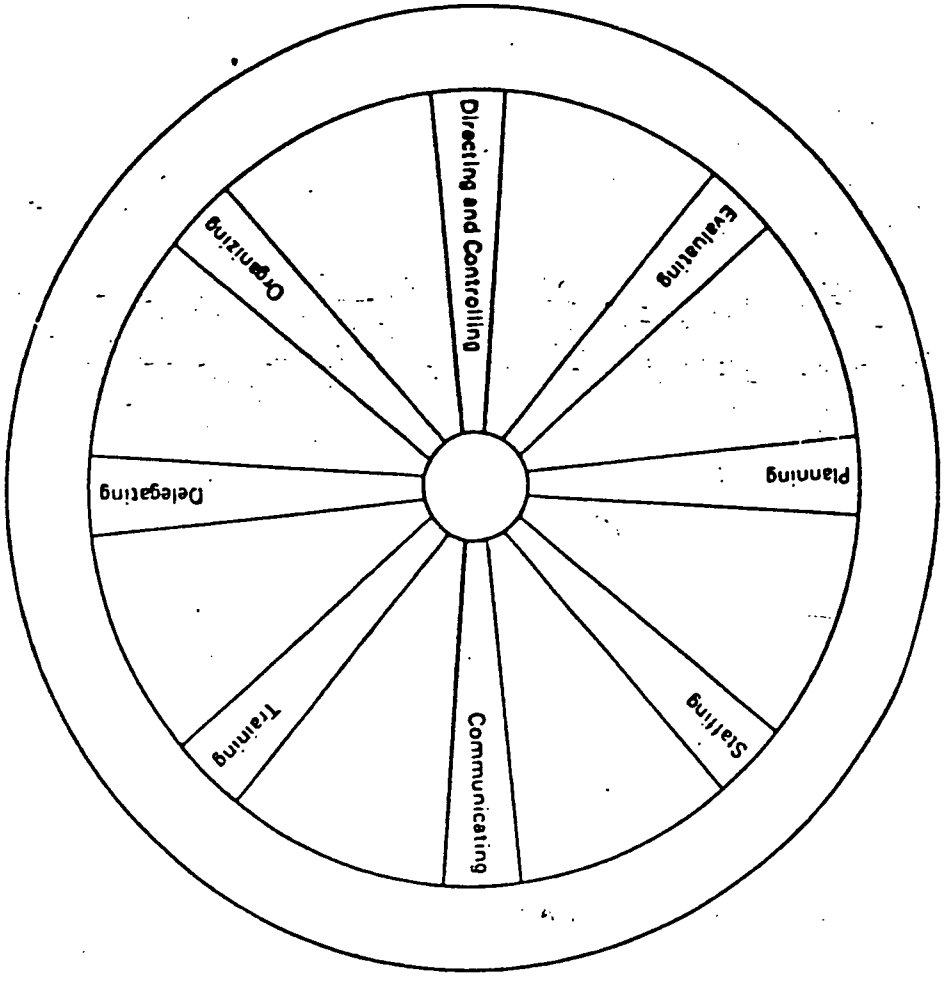
[87] ibid, pp.8-9.

[88] From Archembeault and Archembeault, pp.84-86.

Archembeault and Archembeault claim that each prison manager should possess these attributes and have the ability to place equal emphasis on all of these variables (see figure 2). This, of course, is somewhat idealistic and conforms to a Weberian 'ideal type'. However, with the growing complexity of managing prisons, the prison manager should at least have competence in a majority of these tasks.

Figure 2 : Management Functions of the Correctional Supervisor



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89 ibid.

Management of Objectives (MBO) 1:6

This managerial approach was formulated in the nineteen fifties by Drucker.[90] Basically, MBO can be viewed as a process made up of four major elements: goal setting, action planning, self-control, and periodic reviews. At the apex, the organisation establishes goals and devises measures and plans to achieve these goals. The goal setting activity is then communicated to all levels of the organisation and the top management ensure that the lower levels understand the concepts, accept the directives and channel their efforts towards accomplishing the higher level goals. The National Advisory Commission on Criminal Justice Standards and Goals adapted MBO for application in American Prisons.[91]

The Commission suggested that seven steps be followed for the concept's success:

1. An ongoing system capable of accurately identifying and predicting changes in the environment in which the organisation functions.

2. Administrative capability through a management information system to provide data quickly to appropriate organisational members, work groups, or organisational units for their consideration and possible utilisation.

3. Clearly established and articulated organisational and individual goals, mutually accepted through a process of continuous interaction between management and workers and between various levels of management. Unilateral imposition of correctional goals on lower echelon participants will not result in an MBO system but another bureaucracy.

4. An ongoing evaluation of the organistional and individual goals in light of feedback of the system. Such feedback and evaluation may result in the resetting of goals.

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[90]Drucker, op.cit.

[91]National Advisory Commission on Criminal Justice Standards and Goals, quoted in Bowker, op.cit., pp.212-213.

5. A properly designed and functioning organisational system for effective and efficient service delivery. In such a system, goal-oriented collaboration and cooperation are organistionally facilitated, and administrative services fully support efforts at goal accomplishment.

6. A managerial and work climate highly conducive to employee motivation and self-actualisation towards organisational goal accomplishments. Such a climate should be developed and nurtured through the application of a participative style of management.

7. A properly functioning system for appraising organisational, work group and individual progress towards goal attainment.[92]

The question must now be asked, can any of the previously discussed organisational theory and prison managerial practices be useful to investigate a specific prison? It would appear that the distinguishing characteristics of each prison make an investigation of theory and practice subject to many constraints. For example, size of institution, type of classification, number of staff and inmates. Government policy, age and condition of institution, among others, could determine specific managerial practice. It is reasonable to suggest, however, that in the light of many prison systems losing their autonomy and becoming part of other government agencies, they are in fact part of an overall government bureaucracy,and as such should be investigated from that perspective. Managerial practice, on the one hand, may be determined according to the variables previously mentioned, as well as consideration of the individual manager's attributes. He may, perhaps be highly motivated, educated and adaptable to each environment and setting in which he is placed. On the other hand, he may have attained his position through the seniority principle and in doing has become a functional bureaucrat.

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[92] ibid.

A further problem with the previously mentioned concepts is the failure to provide a mechanism which can be used for both staff and inmates. These researchers who postulate prison management theories appear to use only concepts which substantiate the notion of control within the prison and then only directed towards one element - the prison staff. Whilst prisons must retain control of their charges, the American practice of using these organisational theories must be questioned particularly in light of the other school of thought which claims participative management appears to be the only useful mechanism to prevent overt reaction from inmates.[93] It is paradoxical that investigators harshly criticise prison management for failure to provide adequate leadership[94] yet admit that the institution is bound by bureaucratic fiat.[95] It may be that the only answer to this is the Blau and Scott notion that the prison be removed from the Commonweal category (concerned with the protection of the public) and placed in the Service group (oriented primarily to the needs and interests of the prisoner 'clients').[96]

However constrained by the edicts of bureaucracy, the prison manager must run his institution. His powers of operation are defined by rules and regulation - both external, in the mandate set out by Head Office, and internal, by prison rules and standing orders. But as Coyle claims,

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[93]For example, see Coyle, op.cit., Barak-Glantz, op.cit., Joplin, op.cit.

[94]For example, see Maguire, et al, op.cit.

[95]ibid.

[96]Blau & Scott, op.cit.

a mixture of the 'charismatic' combined with a 'common sense' approach in the use of rules and regulations may be a more realistic portrait of the 'successful' manager.[97] If, as Coyle claims, charismatic leadership styles are developing in the Scottish Prison Service,[98] an examination of management styles developed from studies in divergent organisations may help to determine whether the contemporary prison manager fits into any managerial format. Allen and Simonsen take the approach that prison management will be most effective if it is generally consistent in its view of all participants - staff and inmates.[99] They claim

> the balancing and harmonising of these two sets of relationships ... creates some of the most difficult problems, perhaps because [managers] (consciously or unconsciously) adapt one view of people when dealing with staff and another when dealing with offenders.[100]

These managerial problems have been recognised by Emery. He points out that

> If conditions in prison were like those in industrial organisations, steps could be taken to ensure that the Governor and his deputy had sufficient knowledge of the ... daily life of their prison to make judgements that were patently realistic.[101]

However, the assumption in bureaucracy is that roles and duties are explicitly defined, leaving little leeway for the managerial incumbent.

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[97]Coyle, op.cit.

[98]ibid.

[99]Allen & Simonsen, op.cit., p.358.

[100]ibid.

[101]Emery, op.cit., p.17.

Yet, this rigidity cannot be applied in the prison because of the two divergent elements - staff and inmates.

Two studies are particularly useful in categorising managers. The first is by Likert.[102] He proposed that organisations be viewed as exhibiting four types of management control systems:

1. Exploitative authoritative - characterised by the use of threats, punishment, and occasional rewards to gain member compliance.

2. Benevolent authoritative - characterised by the use of economic rewards, with actual and potential application of punishments.

3. Participative Consultative - which controls mainly through economic rewards, modest ego involvement and only occasional punishment.

4. Participative Group - whch relies on economic rewards and strong ego involvement of participants.[103]

It has been suggested that aspects of all four types appear in contemporary prisons.[104] The general trend, however, is away from type 1 to a mixture of types 3 & 4

> through a mixture of benevolently applied authority and limited democratisation of the management process.[105]

Allen and Simonsen claim that the general pattern of management styles in present prison practice is closer to Likert's type 3 - benevolent

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[102]Likert, op.cit.

[103]ibid, pp.223-234.

[104]Allen & Simonsen, op.cit.

[105]ibid.

authoritative.[106]

The second study was conducted by Street, Vinter and Perrow.[107] They studied six institutions for delinquents and posited a typology for handling offenders.

1) obedience - conformity

2) re-education - development

3) individual - treatment

Additionally, administrators seemed to be guided by one of two major orientations. Some administrators exhibited 'resigned conservatism'. These administrators were largely satisfied with current levels of organisational achievement. They claimed changes could only be made if sufficient finance were made available. The other group - 'dissatisfied innovators' - were far less happy with the level of achievement but thought that failure to secure more finance was not an excuse to stultify achievement.

The authors claim that the research is significant in two ways. The first lies in its effect in distinguishing change-capable administrators from system maintainers, and the second in its identification of two areas of powerful impediment to change in correctional institutions:

> those rooted in their social structure and those derived from

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[106] ibid.

[107] Street, D, Vinter, R D & Perrow, C, Organisation for Treatment: A Comparative Study of Institutions for Delinquents, New York: 1966 The Free Press.

theoretical assumptions about the treatment of offenders.[108]

The major difficulty of placing the prison manager into a reference framework is again highlighted by those two studies. There is very little scope for managing the inmate. This shortfall is addressed by the X and Y theory of McGregor which looks at managing both the willing and unwilling participant.[109] McGregor examined the assumptions about human behaviour which underlie managerial action.

Theory X (the unwilling) 1:7

1) The average human being has an inherent dislike of work and will avoid it if he can. Thus management needs to stress productivity, incentive schemes, a 'fair day's work' and to denounce 'restriction of output'.

2) Because of this human characteristic of dislike of work, most people must be coerced, controlled, directed or threatened with punishment to get them to put forth adequate effort towards the achievement of organisational objectives.

3) The average human being prefers to be directed, wishes to avoid responsibility, has relatively little ambition, wants security above all.

Theory Y (the willing)

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[108] ibid, p.79.

[109] McGregor, D, "Theory X and Theory Y" in Pugh (ed) op.cit, pp.305-323.

1) The expenditure of physical and mental effort in work is as natural as play or rest. The ordinary person does not inherently dislike work: according to the conditions it may be a source of satisfaction or punishment.

2) External control is not the only means for obtaining effort. Man will exercise self-direction and self-control in the service of objectives to which he is committed.

3) The most significant reward that can be offered in order to obtain commitment is the satisfaction of the individual's self-actualising needs. This can be a direct product of effort directed towards organisational objectives.

4) The average human being learns, under proper conditions, not only to accept but to seek responsibility.

5) Many more people are able to contribute creatively to the solution of organisational problems then do so.

6) At present the potentialities of the average person are not being fully used.[110]

The significance of this work is that it offers a framework to begin an evaluation of the problems of managing a prison. Whilst it is acceptd that the prison staff may fall into both categories, it can also be suggested that the 'unwilling' inmate can retain sufficient motivation to do his 'own time' and complete his sentence as soon as possible, without

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[110] ibid, p. 313-316.

entering into a specific anti-estabishment camp - commonly found in prisons. The theory, with a few modifications to suit the prison environment, could be a useful analytical tool to aid prison managers - as well as gauging managerial reaction to specific interests. As McGregor points out, the manager must use influence to achieve goals

> Authority is an inappropriate means for obtaining commitment to objectives.[111]

His claim echoes Gouldner who suggested that conventional, monocratic, and punishment-centred bureaucratic rules may not be so effective in ordering human effort in organisations as may rules based on expertise and consented to by all parties involved.[112] Thus, the charismatic traits offered by Coyle[113] and supplemented by some form of participative management could determine future prison managerial practice. However, because participative management is a behaviourist theory applicable to open-system organisations not many of these ideas have penetrated prisons. Aside from some scattered and lukewarm gestures in America in the direction of participative management prison managers have, by and large, shunned behaviour-based management strategies. Part of the reason may be the prison's traditional image of itself as a paramilitary orgnisation - an image that is fading only slowly. Still another reason for the rejection of these theories may be the fact that once behavioural principles are applied to relations between managers and employees, there may be a further push to apply

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[111] ibid, p.322.

[112] Gouldner, A W, in Pugh et al, op.cit., pp.24-29 p.27.

[113] Coyle, op.cit.

them to relations between staff and inmates, an unwelcome prospect for most prison managers.[114]

It is still the opinion of some that the prison as a bureaucracy cannot fulfil any expectations of change in prison managerial practice.[115] Cohn suggests that bureaucracy is entrenched in rigidity and associated with mechanical and authoritarian ways.[116] He hypothesises that prison managers

> tend to be inward bound organisationally and concern themselves more with administrative requirements the client needs ...[and] ... as a consequence ... tend to create organisational climates in which the administrative strain and role conflicts among workers and perhaps themselves, result in poor management and reduced efficacy of client delivery systems of services.[117]

The issue of participative management is a dilemma facing most prison systems. As more systems are under increasing pressure to change current prison practice, Governments, practitioners and experts are divided on the most suitable course of action. All maximum security prisons fit Goffman's 'total institution' typology. They are, in organisational terminology, closed-systems. The bureaucratisation of prisons after World War II has left the major decision-making process firmly in the hands of the agencies who, in the main, have little knowledge of every day routine.

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[114]Keating, op.cit.

[115]Cohn, A W, "The failure of Correctional Management - Reconsidered" Criminal Justice Review, 6, 2, 1981, pp.55-61.

[116]ibid, p.59.

[117]ibid.

The Federal American approach has attempted to resolve some of the prisons' problems by applying organisational theories and public administration and management principles to the prison setting, and asking managers to adapt these to suit a particular environment. This has also failed because of the inescapable fact that all the techniques and theories have assumed the principle that those to whom they are directed are willingly part of the organisation. Inmates are imprisoned against their will. Again most of the theories discussed are behavioural. As Keating comments:

> behavioural ideals and rationale have little validity in a prison setting.[118]

Attempts to identify a particular managerial style meet with a similar fate. Prison researchers have contrasted prison managers with 'ideal types' but because the prison manager is a "functional bureaucrat"[119] in a total institutionally closed environment - managing two streams of organisation participants - the conclusions presented by both Likert[120] and Street et al[121] are relatively less than significant. The one theory that looks at the willing and unwilling (McGregor)[122] has, again, been based on a different assumption of types of organisations.

It would appear that the present methodological tools available to the social scientist need to be readjusted or redesigned to fit the prison

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[118]Keating, op.cit.

[119]Cohn (1973) op.cit.

[120]Likert, op.cit.

[121]Street et al, op.cit.

[122]McGregor, op.cit.

setting. The tools defined by management theorists have significantly increased our knowledge of organisational practice, but they are incapable of application in the contemporary prison, unless the authorities change the structure and nature of prison functioning. As this seems unlikely because of cost and political repercussions either new methodological tools need to be designed or other types of theories, currently available, should be applied. Concomitantly, the move to charismatic prison management leadership could be combined with a form of participative management to resolve some current problems. Recognised organisational experts such as Likert, Etzioni and Blake and Mouton suggest that:

> Without participative management, the organisation cannot thrive, satisfy either organisational or worker needs, or deal effectively with the myriad internal or external forces impinging upon the organisation.[123]

Chapters IV and V deal specifically with Risdon Prison's functioning and management practice. It is, however, necessary to establish at this point whether Risdon 'fits' within the previously discussed framework. Like most other Western Prison Systems, Risdon Prison is a bureaucratically structured paramilitary organisation. It is more difficult to fit contemporary Risdon into Goffman's total institution category. The loss of Departmental status - with a resulting centralisation of decision-making - and the movement away from the dominant 1960s emphasis on control and discipline, combine with other variables (discussed later) to make Goffman's typology less than useful as a methodological tool. Etzioni's three types of organisational power

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[123]Quoted in Cohn (1981), op.cit., p.59.

- coercive, utilitarian and normative - are evident in Risdon Prison although Etzioni claims prison's use purely coercive power.[124] Additionally, Risdon Prison, under the Blau and Scott typology, would be placed in their 'Commonweal Organisation' category - the public at large being the prime beneficiary.

It is perhaps in the area of management practice investigation that placement becomes more difficult. Risdon management practice appears to have changed little since its origins in the Campbell Street Gaol - the predecessor to Risdon Prison. These practices were developed during the pure custodial or Retributive phase of prison philosophy.[125] The classic dichotomy of 'us and them' meant management ordered and both staff and inmates obeyed. Apart from a few cosmetic changes, arising from individual differences of style, the managerial patterns, established at the beginning of the 20th Century, have remained unaltered. The failure of management to keep pace with the changing nature of the prison environment has been attributed to the isolation of Tasmania from overseas and mainland problems.[126]

Managers found that their training for senior positions at Risdon consisted of 'sitting in for a week or two' and observing how the task was undertaken.[127] The present senior uniformed officer at Risdon when replying to a question from the Federal Attorney-General's Department in September of last year commented:

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[124]Etzioni, op.cit., Ch.5.

[125]Newman, op.cit.

[126]Interview with H J Howe, former Director of Corrective Services.

[127]Interviews with several former senior staff.

> Because of the small size of the Tasmanian Prison Service it has not been possible to establish a specialised training course for middle level and senior level personnel in the prison service. Rather, training is of a practical nature carried out in-service.[128]

The following Chapter discusses the various schools of penal philosophy and it is suggested that management is significantly affected by the chosen philosophical mode. In Tasmania, there appears to have been little impulse by Government Ministers charged with the responsibility of the prison to influence philosophical change.[129] An extensive search of the Government files by the author, and a series of interviews of Government and Senior Management staff, failed to produce a written prison policy. Evidently no such policy exists. Therefore, philosophy, management practice and prison routine cannot be determined in the first instance by reference to policy, but only by comparison with the theories discussed, and in some instances with other overseas and mainland practices.

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[128]Prison Division file 13/1/2A dated 7/9/87.

[129]Interviews with Tasmanian Attorneys-General 1960-85.

CHAPTER II

EXTERNAL CONSTRAINTS ON MANAGEMENT PRACTICE

This Chapter will consider three of the major variables which affect daily prison management - penal philosophy, managerial practices, and the manager's attributes and skills. The 'ideal' combination of philosophy, practice and attributes, however, must match the institution in which they are employed. For example, several large-scale maxi-maximum security prisons in Australia, such as Pentridge in Victoria, and Long Bay in New South Wales, are part of a large complex of institutions catering for different philosophies. Because the prison authorities have this range of institutions available, it is simpler to isolate those inmates who fall under the Restraint[1] philosophy in a separte remand centre - usually having permanently rostered staff. The smaller prison systems, as in Tasmania, because of low prison numbers and economic constraints, are obliged to house the majority of their inmates in a single maximum security institution, such as Risdon. However, the co-mingling of the various philosophies within a single institution can lead to many unanticipated consequences.

In HMP Risdon, for example, those inmates classified to work in outside gangs are all housed in the one division (see Chapter IV on HMP Risdon for a more detailed survey). Those inmates, however, can be 'first timers' or recidivists - many for the fourth or fifth time.[2] As a result of a more liberalised approach by the Senior Management at HMP

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[1]The 4 'R's' of prison philosophy - Restraint, Revenge, Rehabilitation and Reintegration. See, for example, Newman, op.cit.

[2]Author's experience as a member of the Classification Committee, 1984-1988.

Risdon several cells have been 'wired' for television reception.[3] In such a situation demand usually outweighs supply, and the waiting list for 'TV cells' in E Division is lengthy. Inmates of this division can be said to fall into Newman's fourth philosophical category - Reintegration. It might logically be assumed that the prison authorities would hasten provision of the extra facilities. Senior management, however, has concentrated on refurbishing 'D' division - the recognised 'heavy' division which houses those who could be deemed to fall under the Revenge category. Inmates in this division are, categorised normally as high risk maximum security and, as such, are not allowed out of the institution. It may be that the Risdon authorities 'pacify' those inmates in 'D' division with TV access whilst those who are allowed outside are deemed to be rewarded by the privilege of controlled freedom. The management's priority to 'D' division has not been generally accepted by the rest of the prison's divisions who see it as an appeasement of the 'standover merchants'.[4]

The second, but related, factor to be considered when applying a philosophical approach is the style of management practice style operated. Several of the recent American investigations (discussed later in the Chapter) have identified several managerial practice models which can be used to implement the various penal philosophies. Whether these 'models' have any applicability in the Australian setting is a

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[3]Plans to wire at least 30 cells in each division are currently being implemented - but slowly.

[4]From conversations with inmates in the author's role as Welfare Officer.

matter for separate research, but they can be used for comparison purposes.

The final element considered in the Chapter is the managerial incumbent. American prison management has been severely criticised by Cohn,[5] who claims many of the contemporary managerial problems are a result of poor management recruiting. Research on both the English and American managers helps 'profile' the 'average' prison manager in these systems and, again, can be used comparatively with the attributes and skills of the Risdon senior management team - past and present.[6]

Changing Philosophies 2:1

"[T]he prison is an American invention",[7] and the changes in philosophical emphasis have, in the main, originated from the United States. Between the early 1960s and until the mid 1980s several studies have attempted to portray what they believe to be the historical development of prison philosophy.[8] The range, depending on the author, is from revenge[9] through to the "Just Deserts and the Justice

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[5]Cohn (1973) op.cit.

[6]Bowker & Nelson & Lovell, op.cit.

[7]Morris, N, The Future of Imprisonment, Chicago: 1974, University of Chicago Press, p.4.

[8]Glaser, D, (1964), & Schrag, C, (1966) mentioned in Allen, H E & Simenson, C E, Corrections in America: An Introduction (3rd edn) New York: 1981, Macmillan, p.351. O'Leary, V & Duffee, D, "Correctional Policy: A Classification of Goals designed for Change", Crime and Delin, 17, 4 (1971): 373; Allinson, R, "Massachusetts Recidivism Drop Cited as Proof of Success of 'Reintegration' Model", Criminal Justice Newsletter 11 (March 3, 1980): 1-2. Bowker, L H, Corrections: The Art and The Science, New York: 1982, Macmillan, pp.38-55.

[9]Glaser, op.cit.

Model".[10] Management practices have been determined by these changing philosophies; therefore a brief overview of the changing developments is required. Although acknowledging the work of the earlier theorists,[11] the terminology used is restrictive: categorising changes into four epochs.[12] The more recent investigation by Bowker[13] allows the researcher greater scope for analysis of managerial techniques.

According to Bowker, there are eight major varieties of correctional philosophy currently in existence. These are Retribution, Restitution, Maintaining Social Solidarity, General Deterrence, Special Deterrence, Treatment, Incapacitation, and Just Deserts and the Justice Model.[14]

Retribution is perceived as a state mechanism derived from the ancient principle of LEX TALIONIS (mentioned in the Code of Hammurabi). This principle literally means 'an eye for an eye and a tooth for a tooth', and although the ancient Babylonians failed to be equitable in its use:

> Offences against members of the upper class carried much more severe punishments than offences against members of groups that were lower in social status;[15]

by the 18th Century Kantian philosophy located authority of use in the state.[16]

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[10]Bowker, op.cit., p.49.

[11]For example, Glaser op.cit., Schrag, op.cit., O'Leary & Duffee, op.cit., and Allinson, op.cit.

[12]See, for example, O'Leary & Duffee, op.cit.

[13]Bowker, op.cit.

[14]ibid, pp.38-55.

[15]ibid, p.38.

[16]ibid, p.39.

Restitution demands that offenders reimburse, or compensate, their victims to the value of what has been taken. A situation involving injury or death is somewhat less clear. Reimbursement should be limited

> to the financial consequences of the act, since there is no way to completely eliminate the effects of assaults and homicides.[17]

Restitution has recently enjoyed a revival in Australian sentencing practices. The Tasmanian innovation of the Work Order scheme has been adopted by several jurisdictions.[18] This allows offenders to 'pay back' the State by completing community service. Magistrates in Tasmania make liberal use of work orders, sometimes combining imprisonment with an amount of community service.

Maintaining Social Solidarity is not a legal philosophy of punishment.[19] It is based on the Durkheimian notion which presented crime as functional, inevitable, and valuable to society. The assumption is that society's notion of deviance as bad is overtly reinforced by incarcerating a certain percentage of deviants in prison.[20]

General Deterrence assumes that punishment or imprisonment of lawbreakers will deter members of the general population from offending.[21]

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[17] ibid.

[18] Victoria and NSW where they are known as Community Based Corrections (CBC).

[19] Bowker, op.cit., p.41.

[20] ibid, pp.41-42.

[21] ibid, p.42.

Special Deterrence, hopefully, will operate on those already guilty of crimes against the state through fear of further sanctions to individual liberty, and make them refrain from further criminal action.[22]

Treatment was promulgated in the assumption that criminals could be changed through some form of 'correctional' process.[23]

Incapacitation A certain number of lawbreakers will, of their own volition, continue to commit offences. This philosophy implies that little can be done to 'change' these offenders: however their incarceration in an institution limits their criminal activites.[24] This notion has been part of prison practice since the modern system began. The 'prison' within a prison has been utilised for those 'unmanageables' within the system and has led to concepts such as special units with managerial techniques designed specifically to operate such units.[25]

Just Deserts and the Justice Model The rationalisation behind this philosophy, and its justification, is that all other measures - previously discussed - have either failed, or that they have little intrinsic value. This approach is based upon a prison management technique of 'fairness' towards inmates rather than involving them in programmes of doubtful validity.[26]

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[22] ibid, pp.44-45.

[23] ibid, pp.45-46.

[24] ibid, pp.48-49.

[25] For example, the Special Unit in Barlinnie Prison, Glasgow set up in 1972 and aptly described in Boyle, J, The Pain of Confinement, London: 1984, Canongate.

[26] Bowker, op.cit., pp.49-50.

A corollary to the philosophical notions affecting the managers of prisons, is the various 'models' of prison practice which have arisen since the Second World War. As with prison philosophy, an understanding of these models is necessary for determination of management styles and the reasons for using them.

Prison Practice Models 2:2

For nearly two centuries - up until the mid 1970s philosophy, managerial techniques and practices were, in the main, based upon the concept that crime was a social illness and that the offender was sick. Society, thus, had a duty to cure this social illness. Prisons could be used to facilitate this cure. Psychiatrists, doctors, psychologists, social workers, teachers and para-professionals were brought into the prison system somehow to change the offender, cure his illness, and aid his rehabilitation. It was hoped that these intervening techniques would help reduce the incidence of crime. Rather than place the offender in prison for a determinate sentence, officials argued that only by imposing indeterminate sentences could the inmate respond to treatment. It was assumed, as in the real world, that recovery was subject to individual traits rather than a specific time-frame. Inmates were subject to periodical assessment to determine their recovery and eventual discharge back into society. This era became widely known by the analogy, the Medical Model of crime prevention.[27]

During the mid 1970s, research by several investigators claimed that

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[27]For a complete exposition of this model see Flew, A, Crime or Disease, London: 1973, Macmillan.

neither were recidivism rates changing, nor did those who had received treatment appear to have significantly changed their criminal tendencies. In fact, there seemed to be little difference between those who had received treatment and those who had not.[28] Largely as a result of this research, the Medical Model faded into oblivion.[29] This demise was the catalyst for an unprecedented flurry of research into criminal behaviour and methods to be applied in managing those sentenced to incarceration. Between the mid 1970s and the early 1980s numerous models were promulgated - each claiming to be the definitive concept.

Conrad, writing in 1974, claimed that the prison

> cannot be considered as serving any rehabilitative purpose and is over-used for the other legitimate purposes of retribution and containment of the offender.[30]

He suggested that the proper approach was to use a systems view of the criminal justice process. Public agencies had to identify quantifiable goals which could be effectively measured. Basic to this concept was accountability:

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[28]For example, Lipton, D, Martinsen, R & Wilks, J, The Effectiveness of Correctional Treatment: A Survey of Treatment Evaluation Studies New York: 1975, Praeger. Bailey, W, "Correctional Outcomes: An Evaluation of 100 Reports", J of Crim Law, Criminology and Police Science, 57 (June, 1966) 153-157. Kasselliaum, G, Ward, D, & Wilner, D, Parole Survival: an Empirical Assessment, New York: 1971 Wiley, Ch.6.

[29]Archembeault, W G, & Archembeault, B J, Correctional Supervisory Management, Principles of Organisation, Policy & Law, Englewood Cliffs, NJ: 1982, Prentice-Hall, p.150.

[30]Conrad, J P, "The Managerial Model of Criminal Justice", British J Crim, 14, 1974, pp.1977-184, p.182.

> ... good management begins with a good system's design to assure the efficient achievement of accepted objectives by optimal means.[31]

Conrad, however, was reviewing the American criminal justice system which incorporates police, prosecution, courts and corrections.[32]

In 1975, Fogel proposed a Justice Model for corrections.[33] This model assumed that human behaviour is rational and that crime is a form of rational adaptation to environmental conditions. It was based on the following propositions:

1. Criminal Law is the "command of the sovereign".
2. The threat of punishment is necessary to implement the law.
3. The powerful manipulate the chief motivators of human behaviour - fear and hope - through rewards and punishments to retain power.
4. Socialisation (the manipulation of fear and hope through rewards and punishments) of individuals, however imperfect, occurs in response to the commands and expectations of the ruling social-political power.
5. Criminal law protects the dominant prescribed morality (a system of rules said to be in the common and best interest of all) reflecting the enforcement aspect "of the failure of socialisation".
6. In the absence of an absolute system of Justice or a "natural law", no accurate etiological theory of crime is possible nor is the definition of crime stable.
7. Although free will may not exist perfectly, the criminal law is largely based upon its presumed vitality and forms the early foundation for penal sanctions.

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[31] ibid, p.179.

[32] For a detailed summary of this process see Newman, D J, Introduction to Criminal Justice (2nd edn) New York: 1978, Lippincott.

[33] Fogel, D, "...We Are The Living Proof..." The Justice Model for Corrections, Cincinnati: 1975, Anderson.

8. A prison sentence represents a punishment sanctioned by a legislature and meted out through the official legal system within a process of Justice against a person adjudged responsible for his behaviour. Although the purpose of such a punishment may be deterrence, it is specifically the deprivation of liberty for a fixed period of time.

9. The entire process of the criminal law must be played out in a milieu of Justice. Justice-as-fairness represents the superordinate goal of all agencies of the criminal law.

10. When corrections become mixed in the dismal swamp of preaching, exhorting and treating ("resocialisation") it becomes dysfunctional as an agency of Justice. Correctional agencies should engage prisoners as the law otherwise dictates - as responsible, volitional and aspiring human beings.

11. Justice-as-fairness is not a programme; it is a process that insists the prisons (and all agencies of the criminal law) perform their assigned tasks with non-law-abiders lawfully. No more should be expected, no less should be tolerated by correctional administrators.

12. William Pitt said: "where the law ends tyranny begins"; so does the exercise of discretion. Discretion "may mean either beneficence or tyranny, either Justice or injustice, either reasonableness or arbitrariness". Discretion cannot be eliminated but the justice perspective seeks to narrow, control and make it reviewable.[34]

Fogel's model now meant that managerial difficulties with the indeterminate sentenced inmate - except those under Government 'pleasure' - were now minimised but still left open the question of how to manage those who had lengthy sentences with little hope for parole.

As prisoners of varying classification and sentences in some instances resided in the one institution, a variety of managerial skills had to be used. Smullen proposed in 1981 that a concept known as the Participative Management Model be utilised.[35] Basic to this model is a

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[34] ibid, pp.184-185.

[35] Smullen, G J, "Recognising Inmate Groups: The Participation Management Model", Corrections Today, 43, 5, 1981, pp.58-63.

recognition by management that inmate groups exist, and, that management can control and direct their institutions by giving the inmates some role to play in policy formulation. Additionally, employees (prison officers of all grades and specialists - those non-uniformed treatment staff) feel that they, too, are part of the policy formulation process which, as Bowker claims, usually produces a higher level of morale than the military style of management prevalent in most prison organisations.[36]

Three alternate forms of participative management were presented by Bartollas, Clemens and Miller.[37] These were the formal plan, the leadership plan and management by objectives (MBO). The formal plan involved joint committees of management and workers working together to formulate and evaluate new ideas. Those committees were designated a section of the institution and reported to a central administrative committee which collated the data and made recommendations. The major factor in the leadership model was the delegation of authority to middle-management or supervisors. Middle-managers were encouraged to solve problems using the base-grade staff in a team effort. Minor administrative problems could thus be resolved at this level, rather than be transferred to superior level, where time delays, due to other commitments, might find the problem exacerbated rather than diminished. As Bowker points out, it is difficult to promote this type of participative management in a traditional, hierarchical, prison.[38] The

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[36]Bowker, op.cit, p.212.

[37]Bartollas, Clemens & Miller, S J, Correctional Administration: Theory and Practice, New York: 1978, McGraw-Hill.

[38]Bowker, op.cit., p.212.

final type of participative management is MBO (or Management by Objectives - See Chapter 1, p.52).[39]

These participative management styles were promulgated on the premise that managers still had the control and direction firmly in their grasp. Consideration was given to the demands of the lower staff that they should have a voice in the policy of the operation of the prison. It was also acknowledged that inmates had some leverage in the operation of institutions, as their acceptance of administrative measures determined the orderliness of prison functioning. Another view, however, was that inmates actually controlled institutional functioning and, de facto, policy formulation. As Vetter and Territo justifiably claim, from the early part of the nineteenth century until the dawn of the twentieth, most prisons built in the USA reflected the ultimate goal of security.[40] Managerial techniques were based purely on custody and control. The authors point out that maximum security institutions such as Alcatraz (closed in 1963) and Marion, Illinois (opened in 1963), had no inmate programmes thus curtailing inmate movement. These instituions reflected "discipline and punishment".[41] With a rapidly changing social environment, and a belated recognition by the courts in America of inmate civil liberties, the situation in the 1980s in some jurisdictions has gone to the opposite extreme. The abrogation of

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[39]For example, see Drucker, P, Technology, Managment and Society, London: 1970, Heinemann, Ch. 9.

[40]Vetter, H J, Territo, L, Crime and Justice in America - a Human Perspective, St Paul, Minnesota: 1984, West, p.397.

[41]ibid, p.402.

authority and control by management to inmates was highlighted by riots at Attica State (New York) in the early 1970s, New Mexico State Penitentiary (1980) and recently in California, where, to all intents and purposes, management relinquished control within the institution to concentrate instead on measures designed to stop inmates escaping.[42] Based on similar observations and studies, Barak-Glantz offered a profile on the types of prison management models identifiable in American prisons - Authoritarian, Bureaucratic-lawful, the Shared Powers and Inmate Control.[43]

The Authoritarian Model

Barak-Glantz claims this model dominated nineteenth century penology in both theory and practice, and, he suggests that, because of an indifferent public, some contemporary prisons still reflect this type of management. The central tenet of this model is the "one man rule, and repressive social control".[44] In this model inmates had virtually no rights and as the author points out, prison officers, being dependent on the manager's good favour for their position were, practically, in the same category. This system was perpetuated due to a lack of public accountability. Barak-Glantz suggests many factors brought about this model's demise including civil rights, prison inspection, and the introduction of professional services. Probably the catalyst was the "bureaucratisation of the prison following World War II".[45]

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[42] ibid, see especialy Ch.14.

[43] Barak-Glantz, I L, "Towards a Conceptual Schema of Prison Management Styles", Prison Journal, 61, No.2, 1981, pp.42-58.

[44] ibid, p.43.

[45] ibid, p.44.

The Bureaucratic-Lawful Model

After the Second World War, governments began to demand accountability of prison services. The movement towards responsible government meant a better system of checks and balances. Based upon the Weberian concept of legal-rational bureaucracy, prisons assumed the typical hierarchical structure associated with public service machinery. This, of course, meant a centralisation of power, placing the ultimate decision-making in Government hands. Thus the autocratic Governor or Warden, literally, became a functional bureaucrat. A corollary of this move was the gaining, to some degree, of power by the officers. A period of unionisation consolidated the prison officer's position and gave him, at least, some of the worker's rights that his contemporaries in the civilian workforce enjoyed. Inmates, however, were subject to administrative rule and regulation. As Barak-Glantz points out, in the authoritarian model the inmate was subject to one man's whims. In this model, order and control

> ... is dependent on the extent to which the inmate is convinced that the administrative response occurs within the framework of law".[46]

Thus managers are contained by the prescription offered by government and are subject to edicts and philosophical approach espoused.

Shared-Powers Model

This model arose during the 'treatment' phase. A rehabilitative approach toward inmates, combined with the growing introduction of

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[46] ibid, p.47.

specialists into the prison system, forced authorities to cede entrenched power. The treatment-oriented professional argued that rehabilitative practices could only be implemented if some form of participation was given to inmates.[47] Additionally, the right of association[48] was granted by the courts. These two factors - treatment and association - led to inmate group rights (for example, the Black Muslim Lobby in America) and a recognition of management of the existence of such groups. Barak-Glantz mentions a second type of group - differing from the political as epitomised by the Muslims - that of prisoner unions, and "Inmate Government Councils" (IGCs).[49] This led to inmates gaining power to the detriment of both management and staff, whose authority was rapidly eroded.[50]

The Inmate-Control Model

According to Barak-Glantz, this fourth type of prison management represents a logical extension of the shared powers model. He claims that through formal and informal group association the inmates have taken the power away from management and staff. Not only do they, de facto, make policy, they enforce it. Examples of this model have been identified in Illinois and California. This abrogated internal power leaves the management and staff although manning the institution in

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[47] ibid, p.48.

[48] The unrestricted intermingling of inmates for specific periods, formerly denied under the pure custodial regimes.

[49] Barak-Glantz, op.cit, p.49.

[50] ibid, p.55.

control only of the prison's perimeters. This power reversal can only be returned to management through a return to custodial practices based purely on segregation and control which may prove both ineffective and damaging in the short term.[51]

Barak-Glantz's description of the four managerial models currently in use in America are helpful in an analysis of both the United Kingdom[52] and Australian prison sytems.[53] Although these models are 'ideal types' in the Weberian sense, they can be used to identify similarities in management patterns and styles. In the Chapter on HMP Risdon, these four models will be applied to determine whether Tasmania's maximum security facility exhibits any of these managerial styles and traits.

Once Government has determined a particular philosophy to be applied in the prison setting, a statement to this effect is normally issued to the public. Whether this is voluntarily made by the Government, or as the result of some negative aspect reported by the media, the implementation of the decision is placed in the hands of the prison manager. The particular managerial style adopted may enhance or jeopardise the philosophy at the point of implementation. As Joplin and Hendricks report,

> There is a correlation between philosophy and managerial approaches. Managerial techniques reflect a philosophy of corrections as managerial techniques reflect a managing philosophy.[54]

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[51] ibid, p.55.

[52] There are actually three separate systems in the United Kingdom: England and Wales; Scotland; and Northern Ireland.

[53] Each State and Territory has its own prison system, although the ACT facility is purely for remand purposes. Sentenced offenders in the ACT serve imprisonment in NSW.

[54] Joplin, J W & Hendricks, J E, "Correctional Management: A

As one author suggests, leadership style determines the character of the institution.[55] What characteristics should the manager have?

Managerial Profile 2:3

Marin has given a profile of these managers who administer Government decrees in the English Prison System.[56] The managers in this system are designated Governors. The Governor grades comprise all governors of prisons, prison farms, low security institutions and Borstals (youth training centres). Included in the Governor grades are Assistant Governors. Each Governor is graded into one of three classes according to the size of institution. Governor I is the highest grade and those holding this classification are in charge of the large maximum security establishments. Entry to the Governor grades is, normally, by appointment to the Assistant Governor class. There are three methods of entry: limited competition from prison officers; promotion from Chief Prison Officer; and, direct entry from outside the service.[57] Those entering the Assistant Governor grades from outside the service differ in background and experience. Whilst some enter direct from University, others come from the military, police, business and public health.[58] Again, Marin points out that a larger percentage of University graduates

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Philosophical Perspective", Corrections Today, 43, No.6, pp.85-88, p.85.

[55]Marin, B, Inside Justice, London: 1983, Associated University Press, p.131.

[56]ibid, Ch.5.

[57]At the time of writing, direct entry is being reviewed.

[58]Marin, op.cit., p.131.

are recruited externally than from within the service.[59] The education requirements for entry to the prison service in all the British jurisdictions have been upgraded recently. There is still, however, the acceptance that minimal educational qualifications suffice. Whilst it is accepted that these qualifications may suffice for the base-grade officer - on-the-job, and training college programmes cater for his career development - it appears that those who graduate through the system, by and large, tend to forego further educational training. This policy may have a long term deleterious effect on the management of British prisons. The changing philosophical climates and adaptation of organisational theories and management principles for the prison system may find managers charged with implementing concepts which they are intellectually incapable of understanding irrespective of implementing them.[60]

In the United States, managers are usually termed Wardens. Some evidence suggests that they, as in the British practice, rise from the base-grade positions.[61] Others have remarked that there is an increasing trend to recruit from outside the service,

> We have accepted a variety of specialists in medicine, social work, plumbing, psychology, teaching and other trades whose basic calling is not corrections...[62]

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[59] ibid, p.132

[60] For example, see Bullard, C G, A Sociological Study of Prison Officers in NSW: A Stressful Occupation, unpublished PhD Thesis, University of NSW, especially p.235 where he describes the ramifications for future management by current hiring practices.

[61] Marin, op.cit., p.150.

[62] Editorial, Keepers Voice, 7, 4, October 1986.

The average age of appointment to these managerial positions has ranged from 48 - 51 years[63] and a survey of heads of adult correction agencies both Federal and State found

> the average number of years in office for those in office on 1 July 1985 was 4.7 ... . Only 16 who were hired prior to January of 1980 still hold their positions. Twenty three hired prior to 1982 still hold their positions. Twenty five hired prior to 1983 and 38 hired prior to 1984 remain. 1984 saw seven new agency heads hired. Four more were hired through June of 1985.[64]

The definitive outline of the correctional manager must, however, come from the work by Nelson and Lovell who investigated the attributes of prison managers.[65] A survey in the early 1970s of 393 managers found 75% of top administrators aged over 45 years with about one third of these being aged 55 or more. The maturity of the administrators was put down to the 'seniority principle' characterised "by a slow progression up the ladder".[66] Managerial service in corrections found that

> nearly two-thirds of the top administrators and half of the second-level administrators had been in corrections for over ten years and 39 percent and 15 percent respectively for over 15 years.[67]

The educational background of the managers found all but five of those surveyed

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[63]Marin, op.cit., p.151.

[64]The Corrections Yearbook, New York: 1985, Criminal Justice Institute, p.41.

[65]Nelson, E K (Jr), & Lovell, C H, Developing Correctional Administrators, (Washington DC: Joint Commission on Correctional Manpower and Training, 1970).

[66]ibid.

[67]ibid, pp.25-26

> had high school diplomas. About 13 percent of the top and 20 percent of the middle managers held no higher formal degrees. More than three-fourths of the total had college degrees, a third had Master's degrees and nearly ten percent held degrees beyond the Master's.[68]

The survey determined the areas of formal study taken by these managers and found social work was the most common field of research. Education and Sociology ranked second with Psychology following in third place.[69] A particularly poignant factor was that only one top administrator and four second-line managers held degrees in public administration. Additionally, only eleven managers in all held degrees in Criminology or Corrections.[70] The survey also noted that very few of these managers attended in-service training for management. Those who did, normally, had a 'one-shot' at coursework. In summing up, the report concluded,

> The findings about formal education indicated that very few of the administrators had taken formal training either in the field of corrections or in the generic field of management.[71]

Further,

> The average correctional executive has at least a college degree in a discipline not directly related to his work ... .[72]

Apart from the well documented lack of either practical or theoretical management training in these American managers, an important fact

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[68] ibid, p.26.

[69] ibid, p.27.

[70] ibid.

[71] ibid, p.29.

[72] ibid.

highlighted by the research was the distinctively short tenure of those in managerial positions. Irrespective of philosophy and policy, the constant changing of those in top positions means that no real continuity exists. Changing of personnel always brings changes in style and approach. The fact that a new manager takes position means that staff and inmates have got to discover his idiosyncracies and pattern of work. Even if he adheres to the official practices he will find that informal changes have taken place. Given this short tenure any policy approach is subject to individual interpretation and expediency management.

Management Failure Reasons 2:4

Arguing in 1973 about the failure of rehabilitation or treatment techniques in operation, Cohn[73] dismissed the custody/treatment dichotomy as "more myth than reality" and claimed the failure was

> attributable in part to inadequate and incompetent management and leadership by correctional executives.[74]

He posited 10 reasons for management failure:

1. Security conscious.
2. Lack of distinct body of professional knowledge.
3. Unable or unwilling to see that organisational policies and managerial requirements may actually contribute to the inmate's treatment failure.
4. Not strong or forceful enough to shape his beliefs into some tangible programme. May also be unwilling to try because of fear

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[73]Cohn, A W, "The Failure of Correctional Management", Crime and Delinquency, July, 1973, pp.323-331.

[74]ibid, p.323.

of rejection by contemporaries, peers, or superior and/or subordinate staff.

5. He is a functional bureaucrat.

6. His description of organisational success is coloured to show him in a good light. Usually yearly reports are targeted towards quantifiable successes, for example, amount of prison production. Little mention is made of failure or success of the particular inmate policy in action.

7. Inadequate training in management or public administration.

8. Because there is no professional body of knowledge to rely on, he falls back on 'rules, regulations, and manuals of procedure'.

9. He cannot be viewed as a 'professional' because he needs an outside body to assist in standard setting. He thus falls back on the 'fraternity' - those other prison managers he meets at annual conferences and seminars.

10. He learns to say what is wanted. He operates in secrecy and keeps damaging information from leaking so that superiors are incapable of realistically judging his performance.[75]

He concluded by remarking that those entering prison management should be recruited from

> the ranks of public administration, organisational behaviour or management

and that mandatory formal tuition and training should be given to practising managers.[76] In 1982, it was reported that only an average of ten percent of prison managers received any training whatsoever.[77]

If Cohn's condemnation of prison managers is based on the perception of the prison as a treatment centre - irrespective of what programmes are

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[75] ibid, p.326-330.

[76] ibid, p.331.

[77] Archembeault & Archembeault, op.cit., p.4.

involved - then his analysis may in the main, be substantiated. Point 1 - security conscience: As prisons are the

> final sanction of [the] penal system, the support upon which all other measures rest[78]

(notwithstanding the increasing practice of capital punishment in several states of the USA),[79] then its primary role is custodial - it exists to keep offenders out of society. Managers of these institutions are given a mandate to keep these people incarcerated. In all likelihood, several escapes or disturbances can cost the manager his position. If he is a reformer and upsets the status quo (however precarious) this too can cost him his position.[80]

Point 2 - Lack of distinct body of professional knowledge: It has been long recognised that managers were chosen on their ability to handle men - both staff and inmates. The normal practice up until the 1960s was for managers to rise up through the ranks.[81] The justification for 'in breeding' was that by the time he had reached his office, he would 'know' the staff and types of inmates and be able to balance and harmonise the two differing sets of relationships. This balancing and harmonising

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[78]Mott, J, Adult Prisons and Prisoners in England and Wales 1970-1982: A Review of the Findings of Social Research, Home Office Research Study No.84.

[79]For example, Utah, Texas, Florida and Georgia.

[80]For example in Arkansas, USA see Murton, T, & Hyams, J, Accomplices to the Crime: The Arkansas Prison Scandal, New York: 1967, Grove, and in NSW, Australia, see Vinson, T, Wilful Obstruction, Sydney: 1982, Methuen.

[81]Marin, op.cit., p.150, Nelson & Lovell, op.cit., p.25.

> creates some of the most difficult problems, perhaps because [managers] (consciously or unconsciously) adopt one view of people when dealing with staff and another when dealing with offenders.[82]

Additionally, it has been suggested that the work styles of managers reflect the assumptions that they make about people.[83] Schein sets out four views: a) the first view sees people as rational and economic - motivated by material rewards, requiring management to have a firm structure of incentives and controls to carry out tasks; b) the second view sees the worker as social - motivated by a need for others, requiring management to adopt a 'human relations' approach; c) the third view sees the worker as self-actualising[84] - thus management's function is to help and guide the worker to reach this plateau; d) the fourth view sees the worker as complex, and it is management's task to develop flexibilty and skills to help maximise the worker's skills.[85]

The long-serving prison manager develops an 'administrative cunning' which only he and his contemporaries can understand. His contemporaries probably have taken the same career structured path. The additional knowledge he gains will probably have been gleaned from other managers at yearly conferences - set up to discuss problems and experiences. His attitude towards academics is well known. As Poole and Rigoli comment

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[82]Allen, H E, Simonsen, C E, Corrections in America: An Introduction, (3rd edn) New York: 1981, Macmillan, p.358.

[83]Schein, E H, Organisational Psychology, Englewood Cliffs, NJ: 1965, Prentice-Hall.

[84]Maslow's final step in his hierarchy of needs - see Maslow, A H, Motivation and Personality, New York: 1954, Harper & Row.

[85]Schein, op.cit.

> [managers] believe that given the state of specialised knowledge their occupation requires that they, not 'outsiders', are qualified to judge their work.[86]

The lack of any concentrated interaction with academia, insular recruitment with little formal education, and a 'club-membership' mentality combined with various types and grades of institutions (with differing managerial practices and problems) certainly operate against the attaining of a distinct body of professional knowledge by prison managers.

Point 3 - organisational policies and managerial requirement contributing to inmate treatment failure: A major problem faced by prison managers lies in the conflicting goals of treatment and custody.[87] As managers have little formal training and education, a trial and error form of management results.[88] Allen and Simonsen point out that this is due, in part, to the three persuasive themes which have run through prison management - restraint and reformation, a gradual approach to programme development and change, and the syndrome of isolation and withdrawal.[89] These three themes have combined to create a general, non-scientific, rule of thumb approach by management, leading

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[86]Poole, E D, & Rigoli, R M, "Professionalism, Role Conflict, Work Alienation and America: A Look at Prison Management", Social Science Journal, 20, 1983, pp.63-70, p.67.

[87]Weinberg, R B, Evans, J H, Otten, C A, & Marlowe, H A Jr, "Managerial Stress in Corrections Personnel", Corrective and Social Psychiatry and Journal of Behaviour Technology, 1985, pp.39-45, p.40.

[88]ibid.

[89]Allen & Simonsen, op.cit., pp.353-355.

to "tokenism and faddism" in the launching of new measures.[90] Because The isolation and withdrawal of the prison culture have helped

> conceal the realities of institutional life and have thus acted to perpetuate stereotypes and myths.[91]

Bowker suggests that the outstanding characteristic of the manager's role is its double-bind nature. He claims managers are often put in the position of making decisions in which there are "unresolvable dilemmas"[92] For example, Mott claims that the manager's task is two-fold: to hold those committed to custody

> and to provide conditions for their detention which are currently acceptable to society.

Secondly, when dealing with convicted inmates

> there is an obligation on the service to do all that may be possible within the currency of the service to encourage them to lead a good and useful life.[93]

Walker, however, is more emphatic. He maintains the need to make a clear distinction between the provision of treatment and the management of prisoners.[94] The inmate thus is susceptible to whatever approach the manager takes but because of his primarily custodial function commitment to treatment may be arbitrary.[95]

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[90] ibid, p.354.

[91] ibid, pp.354-355.

[92] Bowker, op.cit., p.208.

[93] Mott, op.cit., p.1.

[94] Walker, quoted in Mott, op.cit.

[95] Allen & Simonsen, op.cit., p.354.

Point 4 - not strong or forceful enough and unwilling because of fear of rejection: Managers do not make policy. They carry out Government edict. They may institute measures to facilitate the smooth running of the particular programme but they are just as much 'captive' of the system as the inmate. In the main, Western prisons are directed by legislatures, courts and bureaucracy. Managerial initiative may be taken as an admission, albeit covert, that those dictating policy are misguided. Again, the average manager, because of his 'institutional-climb' up the hierarchy of the prison system will have attained a political second-sense. He will know how far he can go, and who not to upset, to further his career. By the time he reaches the pinnacle of managing a prison, his outlook is purely functional. Further, if, as Nelson & Lovell suggest, his training and education are not directed explicitly to managing[96] his credibility may be questioned. Another factor could be the lack of research available to help him make some sort of programme decision.[97] During his investigations, Bowker found that less than one third of the agencies he surveyed had research facilities available for managers.[98]

A major factor in the lack of initiative by managers is the divergence between order and stability in their prisons. Cerrato points out that

> stability has become subordinate to a stagnating form of order in which placation rather than reformulation is the guiding policy in reform of [prison] instability.[99]

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[96]Nelson & Lovell, op.cit., pp.25-26.

[97]See Bowker, op.cit., p.209.

[98]ibid.

[99]Cerrato, S, "Reform of Correctional Instability: Order or Stability", Crime and Justice, VII, 1984, pp.87-99, p.87.

Order, on the other hand

> is a temporary condition of functional operation created by administrative placation and characterised by inconsistent policy decisions, weak philosophical principles, and the absence of a long-range plan for implementation.[100]

Where both social change and new philosophy develops, managerial problems of control are exacerbated and this, in itself, abrogates the possibility of bringing in further change.[101] Again, the practicalities of implementing new philosophies are dependent upon resources and the physical structure of the establishment.[102] Finally, managers may not wish to bring about new initiatives because of the problems of getting them accepted by staff and inmates alike. As Weinberg et al point out, the major areas of perceived stress in prisons lie in the managerial aspects of the job and intra-organisational relations. Their study found that managers of prisons reported "more tension involving relations with subordinates".[103]

Point 5 - manager as functional bureaucrat: that prisons are bureaucracies is a well documented fact.[104] Any argument to the contrary is dispelled by Coyle.

> ... arguments which are often used in an attempt to demonstrate that the prison service is unique and not similar to other bureaucratic organisations are precisely those which in fact prove that it is bureaucratic; there are clear divisions of labour within the system, each of which is aimed at achieving the primary

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[100] ibid, p.87.

[101] ibid, p.91.

[102] ibid.

[103] Weinberg et al, op.cit., p.39.

[104] See, for example, Barak-Glantz, op.cit., Cressey, D R, "Prison Organisations" in March, J G (ed) Handbook of Organisations, Chicago: 1965, Rand McNally, Kassebaum, G, Ward, D A, & Wilner, D

> aim of the system, which is secure custody in one form or another: it has a strongly hierarchical structure; each member of staff is subject to a particular form of disciplinary control.[105]

Further, Archembeault and Archembeault point out that prisons may be considered as public service organisations, and as such

> must be operated consistent with principles of public administration rather than private business administration.[106]

Therefore, the manager is constrained by the legal-rational system prevalent in this type of organisation and can only operate under its prescribed rules.

Point 6 - coloured reports and quantifiable successors: Managers have to make some sort of yearly report whether it be in the form of a year book presented to the legislature or destined simply for the bureaucratic files in head office. The contents of such a report may depend on whether the manager is employed in a system encompassing prisons with probation and parole, a large prison system, or part of the criminal justice network. His individual establishment report may be encapsulated under a specific grouping, for example, prisons. Whilst acknowledging Cohn's assertion that managers tend to highlight tangibles, the mechanism for determining success or failure of a programme has not yet been agreed upon by professional analysts, let

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M, Prison Treatment and Parole Survival, New York: 1971, Wiley.

[105]Coyle, A G, The Organisational Development of the Scottish Prison Service with Particular Reference to the Role and Influence of the Prison Officer, Unpublished PhD Thesis, 1986, University of Edinburgh, p.113.

[106]Archembeault & Archembeault, op.cit., p.41.

alone a prison manager.[107] It may be that the prison manager has to follow a specific format which leaves little individual discretion. Further, if we accept the notion that the prison is a bureaucracy, then Governments wish facts and figures which show them in good light - negative prison reports create a bad public image.

Point 7 - inadequate training in management and public administration: The standard practice in most prison services of managers reaching their position by rising from base-grade level has already been documented. It was noted that most managers gained their experience from on-the-job training. The catalyst for Wardens and Governors to 'manage' rather than rule the prison, came after World War II. Public demand meant the autocracy had to change to be accountable. The prison had to be run like a private corporation and be cost effective. With formal chains of command being set up, the Warden's position changed from that of a singular ruler to a prison manager.[108] Even with a changing perception of the managing role, jurisdictions were reticent to employ trained managers. Instead, they recruited from a variety of academic disciplines, for example, law, criminology, welfare, sociology, psychology and psychiatry. Few, if any, had any formal qualifications in management or organisation. As Mainzer comments on those who eventually become administrators,

> People who have specialised training and education find that they can 'succeed' only by giving up work for which they are trained and entering 'management' - work for which they have no specialised

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[107] Martinson, R, "What Works? Questions and Answers about Prison Reform", Public Interest, 35, (Spring, 1974), pp.22-54.

[108] Barak-Glantz, op.cit.

training.[109]

Thus the trend to recruit, rather than train, has continued. There appears to be a misguided conception that those who reach management positions have the necessary prerequisites, and once ensconced, the routine day-to-day management tasks will be sufficient to gain experience - a fact noted by Nelson and Lovell.[110]

Point 8 - falls back on rules, regulations etc: As Cohn has pointed out, the lack of a professional body of knowledge in the prison field means that the manager must refer elsewhere. It may be that the root cause of this lack of professional knowledge lies with the managers themselves. If the recruiting patterns for managers are examined (see Nelson & Lovell) it can be noted that academic inclination prior to the 1960s appeared to be secondary to that of the 'hard' agent of control. Recruits, whether professional or academic, had little or no history of prison involvement. Their views were based on scanty knowledge or a modicum of prison service. Those who submitted papers to academia usually shaped the topic to suit their particular field of interest. The knowledge built up was fragmented. Those 'old style' managers still within the system, in the main, refused to subscribe to the 'professional' prison manager view. Morris goes straight to the point

> [the prison] has attracted too many second-class minds who have provided timorous and vacelating leadership.[111]

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[109] Mainzer, L C, "The Scientist as Public Administrator", Western Political Quarterly, 1963, 16, pp.814-829, p.819.

[110] Nelson & Lovell, op.cit.

[111] Morris, N, "From the outside looking in: Or the snail's pace of penal reform", in Outside Looking In, Washington, DC: 1970, US Department of Justice, Law Enforcement Assistance Administration.

The lack of a distinct body of knowledge and the acceptance of the prison as a bureaucracy have meant that the manager has little alternative but to act the 'functional bureaucrat' and rely on the only resource he has left - rules and regulations.

Point 9 - no outside reference body, reliance on the 'fraternity': Poole and Rigoli conducted research in 1983 to determine whether there was a link between professionalisation and formalisation.[112] They concluded,

> formalisation is an organisationally induced process for centralising behaviour while professionalisation is a non-organisationally derived one.[113]

In other words, there was an incompatibility between bureaucracy and professionalism. If we accept the twin notions that prisons are bureaucracies and the manager a functional bureaucrat, accountable to superiors in central office or Government, who then can he turn to for advice but those holding similar positions in other prison establishments? The distinct problem here, of course, is that the primary attributes of such others may be only service experience. They, through this seniority principle, advise on the basis of problems they have encountered and of solutions used. The new manager may then try to adopt these ideas to suit his particular institution - with varying results. Finally, through natural attrition he, in turn, assumes the mantle of experienced prison manager offering advice.

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[112]Poole and Rigali, op.cit.

[113]ibid, p.63.

Point 10 - secrecy aspects: for many years the prison was a closed environment - perhaps in part due to an apathetic public, negative media coverage, and the lack of political kudos. Since the 1960s there has been a gradual opening of the system and public interest has demanded that prisons help resolve the crime epidemic. Because of this growing public awareness, managers have had to defend the excesses of their predecessors. Antiquated institutions, bereft of sanitary services and built, in the main, during the prison expansion programme of the Victorian era, house many more inmates than originally intended. Any public expose of brutality by staff, riots by inmates, escapes or death in custody immediately forces any manager on to the defensive. Additionally, he is normally constrained by public service regulation from talking to the media and must reply through either Departmental Head, Minister or relevant Agency spokesman. With a greater public awareness and media accountability, and a recognition of prisoners' rights by the American Courts, it becomes increasingly difficult for the manager to operate in secrecy. Realistically, his managerial performance will be judged on his capacity to control his institution and prevent staff discontent. His effectiveness in keeping costs to a prescribed budgetary allocation will further determine the success or failure of his managerial approach.

Cohn's ten reasons for prison management failure were based upon the then view that the prison could help re-educate and/or change the inmate. The 'rehabilitative' value of prisons has been questioned,[114]

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[114]Lipton et al, op.cit.

and evaluation techniques used to determine success or failure rates are still the subject of debate.[115] However, many of Cohn's reasons are still valid as the 1980s draw to a close. Prison managers are bound by bureaucracy. They are largely controlled from Head Offices. Their managerial training is practically non-existent. Prison manager conferences have now become political arenas, with the relevant Minister in charge of prisons also attending.[116] Currently a theme being considered in many jurisdictions is 'Humane Containment' (discussed in the Conclusion). This concept places considerable emphasis on 'normalising' the internal prison environment as far as possible. Whilst the primary concern is to keep inmates segregated from society, this new concept, with its policy of minimal interference of inmates, could mark the beginning of a new era in prison management.

The problem is that Governments and the public are unsure of the essential purpose of the prison. One recent survey in Australia elicited a newspaper headline "Jail not seen as deterrent".[117] A poll conducted nationally in Australia found 34 percent thought the main purpose of sending someone to prison was to punish them, 25 percent thought rehabilitation was the aim, and 19 percent thought it would stop them committing other offences.[118]

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[115]Palumbo, D J, "Evaluating Policy Implementation: Central Issues in Comparative Analysis", paper presented to the International Political Science Association Meetings in Paris, France, July, 1985.

[116]Interviews with the former Controller of Prisons of Tasmania, and the former Director of Corrective Services for Tasmania 6.11.87 and 19.11.87.

[117]Sydney Morning Herald, 8.12.87, p.8.

[118]ibid.

Prison management is only directly affected by public opinion when something goes wrong. Until some crisis occurs, most Governments are quite happy to leave prisons to the administrators. Whenever a riot or death receives media exposure, governments issue directives and management concur. Governments act instinctively to negative prison media publicity. The oft-quoted maxim 'there are no votes in prisons'[119] is a truism which is conveniently put forward as a justification for the on-going apathy by those with the mandate to act. Academia has been of little assistance, as it prefers to harass rather than help. Hawkins lumps these critics into four categories: a) the abolitionist, b) the rigorist (who proposes even severer conditions for prisons), c) the reformer, and d) the reductivist (who wishes to curtail prison programmes).[120] Thus, the combination of public apathy, political expediency, and academic critique help shape contemporary managerial practice. Mainly it is shaped by political means, although as Hawkins comments, it

> ... should to some extent reflect what the majority of the community wants ..."[121]

The managerial role can only be understood in the context of the prison environment. There is no similar position outside equivalent purpose Government agencies, such as youth centres. The few researchers who have examined prisons over a period of time have been governed by

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[119]Interview with the former Attorney-General of Tasmania, 19.11.87.

[120]For a full account see Hawkins, op.cit, pp.5-29.

[121]ibid, p.14.

academic inclination, and thus little is known about the managerial position apart from only the ramifications of his actions.[122]

Risdon Penal Philosophy, Management Practice Model and Managerial Profile 2:5

Tracing penal philosophical development at Risdon prison is a difficult task. To the casual observer the prison has changed little over the past two decades. The dominant 1940s philosophy of Retribution carried on in the Tasmanian system even after the new prison at Risdon opened in 1960. According to a recently retired middle management officer, conditions for both staff and inmates were much better, and cells, workshops and recreational facilities were "far superior" to those of the condemned Campbell Street gaol - Risdon's predecessor.[123] It was noted in the previous Chapter that there appears to be no written prison policy, and that each successive Attorney-General has had little input into prison philosophy - with one notable exception.[124] Tasmanian penal philosophy (or lack of it) was mainly 'custom and practice': continuing on the retributive mode in operation during the Departmentalisation of the prison system in 1936.[125] The prison riots at Risdon (discussed in detail in Chapter IV) during the late 1960s and

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[122]See, for example, Sykes, op.cit.

[123]Interview with R C Barwick, retired Principal Prison Officer, November 1987.

[124]E M Bingham, the Liberal Attorney-General who devised the present Law Department structure which incorporates Risdon Prison.

[125]See Wettenhall, R L, A Guide to Tasmanian Government Administration Hobart: 1968, Platypus, pp.88-91.

early 1970s forced the authorities to 'liberalise' the prison to a certain extent, and this 'policy' has continued until present. The current situation cannot be pigeonholed into any of the categories described by Bowker. Rather, elements of all major varieties can be identified. The lack of a dominant philosophical mode leaves both staff and inmates confused. As Mathiesen points out staff and inmates would rather suffer deplorable conditions as long as the philosophy is known:

> One setting, Botsfengslet [Norway] is damp, stark and ugly. Inmates reside in dungeons, receive lukewarm meals through trapdoors, share no contact, and get almost no attention from the staff. The second setting, Ila [Norway], is attractive, modern and well staffed. The walls are pastel-coloured, the living areas are individualised and attractive, dining rooms are small, and supervision is unobtrusive. No ecologist worth his salt would consider living in Bosfengslet, but inmates prefer it by a heavy margin. They prefer it because it has clear criteria, known rules, and an unambiguous (non-rehabilitative philosophy.[126]

Prison management practice, similarly, has been conditional on the custodial oriented nature of Risdon's functioning. It is best described as resembling Barak-Glantz' Bureaucratic-Lawful model, but still retaining elements from the Authoritative model. Management training is non-existent (as noted in the previous Chapter) and 'experience on-the-job' is the necessary prescription. Observation (see how it's done) techniques, commonsense approaches, and lack of procedural reference - all employed by past and present Risdon senior management staff - are the "primary factors in mismanagement".[127]

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[126]Mathiesen, T, quoted in Tech, H, Living in Prison: The Ecology of Survival, New York: 1977, Free Press, p.7.

[127]Interview with Dr K Kerle, Managing Editor, American Jail Association, 2.2.88, Hobart.

Senior Risdon Prison management during the period from 1960 to 1986 has been stable with only a few men - after the retirement of the original Controller of Prisons at Risdon in 1961 - holding the three top positions (see Figure 1).

Figure 1 : RISDON SENIOR MANAGEMENT 1960-1987

	COP	SUPT	DEP SUPT
Prison Dept 1960-61		LONERGAN*	HORNIBROOK
1961-69		HORNIBROOK	JAMIESON
1970-80	HORNIBROOK	JAIMESON	HOWE
1980-81	HORNIBROOK	HOWE	HOWE
1982-84	HOWE	WESTWOOD**	BARWICK**
	DOCS	CH.SUPT.	DEP.CH.SUPT
Law Dept 1984-85	HOWE	WESTWOOD**	TIGHE**
1985-86	HOWE	HARVEY	WESTWOOD
1986-87		HARVEY***	WESTWOOD
23.11.87	PATMORE**	HARVEY	WESTWOOD****

* Until 1970 the Controller of Prisons was also the Superintendent of Risdon Prison, the Deputy Superintendent was also Deputy Controller.

** Acting capacity.

*** Since Howe's retirement, the position has not been filled. Harvey had been acting DOCS as well as being Chief Superintendent.

**** Since resigned.

Of the nine who have held, or are holding, senior management positions, six have a military background - two having received commissions. Two

have been career public servants moving up to the top positions after serving for a number of years as the Prison's Executive Officer - a non-uniformed position responsible for finance and supplies. The final incumbent began as a base-grade officer in another Australian Prison system, was promoted through the ranks, and subsequently transferred to Risdon Prison as the Deputy Superintendent. Only one of the nine had formal tertiary qualifications, and these were in agriculture. He had previously managed the Prison Farm, and supervised the Royal Derwent Hospital's market gardens prior to joining the prison service. Three had reached senior positions by working their way up through the ranks. Two others were laterally recruited, and had no previous prison experience.[128] Only two of the senior managers were under 40 on reaching the substantive rank, the majority being over 50 years of age.[129] None of the nine had any formal qualifications in management.[130]

According to Cohn[131] the lack of training in management and public administration by prison managers deprives them of techniques and comparable practices to compare their situations. It is argued in the next Chapter that the prison manager must be cognisant of all the variables in the prison environment if he is to have any measure of

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[128]One came from Probation and Parole, the other from Head Office - having previously held a commissioned rank in the Army and prior service in a senior capacity with the State Emergency Services

[129]From interviews and Departmental files.

[130]Two, however, were members of a professional association - Australian Institute of Management.

[131]Cohn, op.cit.

success. More importantly, his dealings wtih the prison's captives, both staff and inmates, will have a direct bearing on the prison's stable functioning.

CHAPTER III

INTERNAL CONSTRAINTS ON MANAGEMENT PRACTICE

The discussion on prison management has concentrated on some of the problems faced with competing philosophies, managerial models, management failure reasons, and some suggested organisational theories and principles which can be used. Two of the dependent variables which determine the manager's success are staff and inmates. His relationship with each group, and the harmonising of the interaction between them are normally used as indicators of successful prison functioning. While the larger systems mainly determine who will be employed, the manager has little choice of inmate clientele.

Upon transfer or promotion the manager must begin to create an atmosphere of trust with his subordinate staff and inmates. Each side will watch carefully for signs of partisanship. He may have all the latest managerial techniques available to him, but as Jagger comments

> knowing [them] is not sufficient in itself. The important factor is understanding when and how to apply them and being able to appreciate their limitations.[1]

He points out that failures among managers largely occur not because of these techniques,

> but from an inability to deal with and understand people effectively.[2]

The majority of the staff under his control are base-grade prison officers. His directives are implemented by this group. Inmate

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[1]Jagger, R, "A Principal Officer's View", Prison Service Journal, 57, 1985, pp.15-16, p.15.

[2]ibid.

perceptions of managerial directives largely result from base-grade officer application. An understanding of these groups is, therefore, necessary as the prison manager's role cannot be considered in isolation.

The movement of prison philosophy from punishment, deterrence and custodial practice to contemporary theories of rehabilitation and reintegration places the prison officer in a frustrating position. He has the 'front-line' role in prison and is

> maybe the most influential [person] in institutions simply by virtue of [his] numbers and [his] daily intimate contact with offenders.[3]

Yet his deployment has also been the subject of much bitter debate. As Hawkins suggests, his role is "clearly of critical importance".[4]

There are dimensions of this key role which are common to all prison officers. The primary task is the prevention of escape and closely related is the maintenance of internal order and security.[5] Apart from these primary goals the prison as a total institution necessarily generates several subsidiary goals connected with people-processing.[6] In any large scale prison there is a multiplicity of duties to be

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[3]President's Commission on Law Enforcement and Administration of Justice, Task Force Report, Corrections. Washington DC, US Government Printing Office, 1967, p.96.

[4]Hawkins, G, The Prison: Policy and Practice, Chicago: 1976, University of Chicago Press, p.85.

[5]Jacobs, J B, Retsky, H G, "Prison Guard", Urban Life, 4 1 , 1975, pp.5-28.

[6]Goffman, E, Asylums, Harmondsworth:1961, Penguin, p.15.

performed. Food must be prepared, laundry must be cleaned, medicine has to be distributed, maintenance carried out, new inmates processed, others sent to courts and hospitals, transfers made to other institutions - in sum, the prison must keep functioning. The various duties required to keep this process in action are normally carried out by the prison officers, although some outside expertise may be required for a particular mechanical function. The role the officer plays will consequently depend on where he is posted and on the type of institution and its specific ideology. If, for example, he works in a maximum security establishment, his perception of his role and his attitude towards the prisoner will differ to those of an officer posted to an open prison. There are, of course, different rules and regulations for each type of institution.

Why Become a Prison Officer? 3:1

What makes a person become a prison officer? Is it just for employment and why does he enter into an environment that is so different from the society of which he has been part? How does he adjust from being a 'face in the crowd' to an immediately recognisable arm of the State? Can he cope with the constant pressures of being enclosed with a great number of men who have had their freedom taken from them? How does he and his family cope with the accusations, innuendoes and sometimes open hostility of those who see the prison officer as both degraded and degrading? How influential is his union? Is his training purely for custodial purposes?

Several studies have shown that the prime reason for seeking employment

in the prison environment is job security.[7] Some men, however, have been attracted to the prison service because of its similarity to military service. The Prison Service has traditionally recruited a large number of ex-servicemen,[8] perhaps, because the prison's custodial hierarchical chain of command is paramilitaristic by nature and practice. However, this trend appears to be diminishing. The English Prison Service, during the past decade, has tended to hire people with industrial rather than services experience.[9] Depending on the Prison Service the recruit joins, his period of training consists of an introduction to a job where experience overshadows practically all other prerequisites. Most Prison training courses consist of basic principles and skills of security, inmate management, physical fitness, self-defence, report writing, rules and regulations, some basic goals and aims of the individual organisation, and first aid. Most systems run recruit training courses of between four weeks and three months. This initial period, however, does not prepare him for daily prison life.

The officer finds himself - once he has finished his period of training - allocated to some particular post in the prison. Although he has

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[7]Lombardo, L X, Guards Imprisoned, New York, 1981, Elsevier, Jacobs & Retsky, op.cit., Williams, T A, Custody and Conflict: An Organisational Study of Role Problems and related attitudes among Prison Officers in Western Australia, unpublished PhD Thesis, University of WA, Bullard, op.cit., & Emery, F E, Freedom and Justice Within Walls: The Bristol Prison Experiment, London: 1970, Tavistock.

[8]Thomas, J E, the English Prison Officer Since 1850: A Study in Conflict, London: 1972,. Routledge & Keegan Paul, pp.47-48.

[9]Thomas, in Morgan & King, op.cit.,

probably taken note of the proper procedures in relation to managing each allocated task, his introduction to the task ' in real life' may come as a surprise. He may find that the experienced officer explains that what he - the new officer - has been taught is just theory and he will show him how the job is done in practice. The new recruit has therefore been exposed to the alternative structure - the informal network. Krech et al believe that this informal organization develops when there is "a lack of congruence between the norms of the members".[10] It also may arise if the formal organization

> proves to be inefficient in achieving the goals of the organization.[11]

The new officer finds a conflict in what he has been trained to do and what the experienced man expects him to do. In order to be accepted the recruit will probably accept and follow the advice of the senior officer. Is there any way to reconcile the formal and informal networks? Bahke claims that they cannot be separated. He suggests the social system to which participants in an organization react

> and which is an effective determinant of their behaviour, is a synthesis of both formal and informal elements.[12]

It has been claimed that every institution captures something of the time and interest of its members and provides something of a world for

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[10]Krech, D, Crutchfield, R S & Ballackey, E L, Individual in Society New York: 1962, McGraw-Hill, p.69.

[11]ibid.

[12]Bahke, E W, in Krech, et al, op.cit, p.419.

them[13] - in other words that a prison is what each man brings to it.[14] The prison officer confronts the inmate with the knowledge that he has authority on his side and that the inmate should obey when called on by the officer. The inmate may regard the officer as just another arm of the legal process which put him inside. He may find his detention unjustified and could strike out, either verbally or physically, at the prison officer whom he sees as representative of the loss of liberty -

> first by confinement to the institution and second by confinement within the institution.[15]

The officer, when faced by a threatening action for the first time can, if there are other officers around, look to the experienced men for advice. In the outside world, the officer may encounter threatening situations, but very rarely will they be of the intensity and volume exhibited in a maximum security prison. The management of conflict may not be a skill yet attained by the new officer and his expectations of what he could do, outside the prison, are at odds with the approach he must take within it. If he were outside, he might decide to match aggression with aggression; however, the prison rules and regulations state what measures may be taken. The normal officer - until he becomes case-hardened - will probably feel some sort of anguish, be it mental or emotional, when involved in this sort of situation. While there are some types of officers who relish this type of occurrence, the average

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[13]Goffman, op.cit., p.15.

[14]Sykes, G M, The Social Captives, a Study of a Maximum Security Prison, Princeton: 1970, Princeton University Press, p.63.

[15]ibid.

man tends to look upon the job, and the hazards that go with it, not as a vocation, but as a means to an end. His employment at the prison provides his family with an income. However, the officer and his family are affected in subtler and non-monetary, ways by his work.

The possible stigma attached to working in a prison becomes apparent when officers meet people from outside their immediate environment. Officers tend to become defensive when asked where they are employed. If the officer tells the truth about his place of employment he can expect either to be questioned on the happenings of the prison, or he may be asked why and how he could work 'in a place like that'. Most officers in three Canadian samples explained their work as "government service".[16] Wilkins interviewed officers in Ontario, Canada, who claimed

> people in the community did <u>not</u> understand the role of the correctional officer.[17]

He found particularly at Toronto Jail and at Mimico,

> staff spoke of social difficulties arising from the ignorance, or sometimes the hostility of neighbours and other persons they met socially. When meeting new people, some officers concealed their occupation behind generalities about working for the government. Some reported losing the friendship of neighbours or acquaintances when their occupation was discovered.[18]

Willett reported in his study on the Canadian prison service that the officers and their wives were

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[16] Wilkins, M L, "Correctional Officers: Roles, Attitudes, and Problems", <u>Ministry of Correctional Services</u>, Ontario: 1979.

[17] <u>ibid</u>.

[18] <u>ibid</u>.

> very sensitive about the implications of prison work that set them apart from relatives and friends.[19]

Duffee claims this outside 'pressure' may force the officers to form a subculture of their own. He says that this is not a radical suggestion and gives as an analogy the police - 'the blue minority'.[20] Further, Burke and Weir found that spouses of correctional personnel, when compared to spouses of probation/parole officers, reported significantly more negative effects of the spouse's job on personal, home and family life,

> lower life satisfaction and more intense and pervasive negative feelings or mood states.[21]

Finally, Boshier and McDonald studied the children of officers who lived at the prison and measured their attitudes towards the inmates. They found that prison children rated the inmates more negatively than non-prison children. They hypothesised that this was caused by communication from their fathers and that because the children had little chance to meet non-prison children their perception was biased in that they were unable to obtain information to refute parental attitudes.[22]

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[19]Willett, T C, "The 'Fish Screw' in theCanadian Penitentiary Service", Queens Law Journal, Summer, 1977, pp.424-449, p.426.

[20]Duffee, D, "The Correctional Officer Subculture and Organisational Change", Journal of Research in Crime and Delinquency, July 1984, pp.155-172, p162.

[21]Burke, R J, Weir, T, "Is Managing a Correctional Institution a Demanding Occupation", unpublished paper, York University, Toronto, 1980.

[22]Boshier, R, McDonald, D, "Living Alongside a Prison: How Does it Affect Children?" ANZ J Crim, 6, 3, 1973, pp.182-188.

Thomas, in his seminal work on the English prison officer comments:

> generally the staff (prison officers) are seen as agents of punishment, and are categorized as impediments to reformation.[23]

Both he and Williams[24] maintain the role of the prison-officer is custodial. However, what do the officers themselves think of this claim?

Peretti and Hooker found that guards at the Indiana State Prison placed the custodial function at the bottom of a list of self-perceptions. They placed integration, defined as effective behavioural performance, at the top of the list. They perceived themselves as showing care and concern for the inmates and being able to interact with relative closeness although not intimately. The authors concluded that the guards tended to fit the role rather than modify the position to fit their own characteristics. The more knowledge the guard has about the role then the easier it was to

> fulfil the expectations of his role as determined by the social institution.[25]

Thomas claims that people in organizations display a "very ambivalent attitude towards training".[26] He goes on to say that it is generally

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[23]Thomas, (1972) op.cit., p.2.

[24]ibid, p.6, Williams, op.cit., p.5.

[25]Peretti, P O, Hooker, M, "Social Role Self Perception of State Prison Guards", Criminal Justice and Behaviour, 3 June, 1976, 187-196, p.193.

[26]Thomas, (1972) op.cit., p.2.

expected that training will be "either harmless or miraculous, an interlude or a prelude".[27] Further, that staff who have been on courses go to polar extremes in that they will have changed completely or not at all. The hierarchy sometimes look upon training courses as a cosmetic exercise and that once the staff have got rid of their idealism they can concentrate on the priority of making sure the inmates do not escape. Another problem facing the base-line officer is the 'old-guard' hierarchy. In some instances through the retirement and death of previous senior officers the 'old guard' have progressed up the ladder of ineptitude and maintained their positions supinely.[28] Thomas sums up

> ... in institutions the immature and unstable are to be found in positions of control and the result is that they mask their insecurity and insufficiency with rigid rules and authoritative discipline.[29]

As a result, according to Cohn, too little change has been inaugurated by top management to reconcile the differences between them and the base-line officer, with the result that these issues have become problems

> primarily because correctional managers have failed to lead their organizations; instead they have been mere caretakers, if not sinecures...[30]

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[27] ibid.

[28] Lombardo, op.cit., p.73.

[29] Thomas (1972), op.cit., p.9.

[30] Cohn, A W, "The Failure of Correctional Management Revisited", Crime and Delinquency, July 1973, p.10.

Qualifications, Training and Role of the Prison Officer 3:2

If Government agencies and management staff were sincere in applying new philosophical changes in prison inmate handling and organisational practice this should issue in new training routines and an educationally better qualified recruit. A study, however, of most Australian and other Western Prison systems' training programmes and recruiting criteria suggests that the onus is largely on the custodial aspects of the job. A major difficulty to overcome in any prison system is the mentality of the 'old guard' who being recruited in the old 'us and them' period challenge any innovative practice. Additionally, the avenue for promotion in most prison systems is through the medium of in-service training and/or promotional examination and/or interview. Though many prison systems, until recently, used the well tried 'seniority principle', several jurisdictions are using 'fast-track' schemes to promote on the basis of merit rather than seniority.[31] Again, there are problems associated with training - the methods used, the calibre of instructors, finance and, most importantly, the willingness of staff members to participate.

The new training methods are looked upon with scepticism by the 'old-time guards'. These long-serving officers are extremely suspicious of new ideas as these seem to usurp, and denigrate, the rule-of-thumb methods which were the practice for so long. Jacobs and Retsky report that the newly recruited guard's

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[31]Scotland, England and in Australia - Victoria.

> first orientation to prison invariably includes the warning to remain aloof from the inmates lest the cycle of corruption and blackmail destroys a guard's career.[32]

No man is born a prison officer, indeed

> there is little if any empirical knowledge of what makes a good correctional officer.[33]

Further, contemporary prison management view the base-grade officer in the purely custodial role. Current training procedures are designed to emphasise those aspects which reflect dominant managerial principles - custody, security and prevention of escape. This view is supported by the growing movement into prisons of the specialist in the field of behaviour modification such as the psychiatrist, psychologist and social worker - an admission on the part of prison management that the base-grade officer has little to offer as an agent of change.

One of the reasons why base-grade prison officers are purely custodial is the traditional recruitment practice based on philosophical penal views of the day. Prisons, prior to World War II were basically retributive - the offender came to prison as punishment. Although penal philosophy has changed recruiting practices have varied little. There is still the general tendency to recruit someone with a basic education on the expectation that he can apply rules and regulations, and little else. When penal philosophy changed, and different policies and practices were introduced, governments and management had little

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[32]Jacobs & Retsky, op.cit., p.17.

[33]Homant, R J, "Correlates of Satisfactory Relations between Correctional Officers and Prisoners", Journal of Offender Counselling Services and Rehabilitation, 4, (1), 1979, p.54.

compulsion to use the staff they had at their disposal; instead they invited the specialist into the prison to implement the changing philosophical goal. The base-grade officer was ignored. His role has become narrower until it has reached the position where his duties are purely custodial.[34] Remarkably, some prison systems in Australia are demanding a higher qualified entrant to the base-grade ranks. Tasmania, for example, has raised the educational entrance level for recruits from grade 6 to grade 10.[35] Tertiary-educated applicants are entering the base-grade levels in the Western Australian system.[36] Will these better-educated recruits be satisfied with a single role - custody - or, will they be held captive, as are most of their contemporaries, by the better-than-average salary. In purely economic terms, those charged with running the nation's prisons are wasting a valuable resource in the base-grade officer.

Harding reports that it takes an average $26,675 to keep an inmate in the Australian prison system.[37] The cost to each government authority for the base-grade officer's services is in excess of this. In Tasmania, for example, during the 1984/85 financial year, it cost $26,771 to keep an inmate.[38] Compare this cost with the salaries for

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[34]Thomas (1972), op.cit., p.199.

[35]Author's discussions with Deputy-Chief Superintendent and Prison School Teacher, HMP Risdon, Tasmania.

[36]Author's discussion with David Biles, Assistant-Director, Australian Institute of Criminology.

[37]Harding, R, "Prison Overcrowding: Correctional Policies and Political Constraints", ANZ J Crim, 20.1.87, pp.16-33, p.21.

[38]ibid.

staff employed in the Tasmanian prison service during the 1983/84 financial year. The prisons division of the Law Department was allocated $5,660,925. Of this, $4,791,800 was used for salaries, payments for allowances and overtime for staff.[39] Approximately 70% of the total staff - including administration, nursing, trade instructors and maintenance personnel - are base-grade prison officers. At a conservative estimate, the base-grade prison officers average salary was in the region of $30,000. The Office of Corrections in Victoria, in the 1984/85 report, budgeted $36,810.901 for salaries and associated costs.[40] The system in this period, employed a total of 1,806 males and females - both full and part-time.[41] Again, the majority of these would be base-grade prison officers earning on average in excess, of the $29,588[42] it cost to keep the Victorian inmate. Why do governments invest so much finance for so little return?

It is by no means certain that all prison-officers wish to participate in the rehabilitation process. Many are quite happy to 'keep their distance'. In fact, many are actively encouraged not to interact with inmates unless in the course of their duty. Their relationship with the inmates is one of 'acceptance': '...they are here, I am here, let's do it as easily as possible'.[43] In some institutions, officers become

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[39]Appropriation Bill 1983/84 LawDepartment Division II, Explanatory Notes.

[40]Office of Corrections Annual Report Victoria, 1984-85, p.76.

[41]ibid, p.44.

[42]Harding, op.cit., p.21.

[43]Fitzgerald, M, Prisoners in Revolt, Middlesex, 1977, Penguin, p.162.

used to the idiosyncracies of certain inmates and a type of relationship grows over a period of time. There are, of course, studies which indicate that both prison officers and prisoners have a similar identity with shared socio-economic status,[44] work experience[45] and aggression.[46] There is also what Homant notes as a need for "more clarification of the officer's role by his supervisors".[47] The officer is often put into the paradoxical position of being expected to use authority to maintain control, yet with his ability to do so depending more on his personality than on his supposed power. He has to appear to his workmates to be in control of the situation at all times, yet reconcile this with a 'soft' approach when interacting with a prisoner; in consequence the prisoner could well construe the officer as being a 'weak bastard' who can only get acquiescence by appealing to the inmate. However, the authorities may be inclined to think that the officer is spending an inordinate time with the inmate and could draw the conclusion that the officer may be involved in some illegal association with the inmate.

Some studies, however, have shown that the base-grade officer is not the stereotype some make him out to be. Motivans commenting on an Illinois institution found no evidence to suggest the common stereotype applied

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[44]McGurk, B J, McGurk, R E, "Personality Types Among Prisoners and Prison Officers", British Journal of Criminology, 19, 1, 1979. pp.31-49 and Thomas, op.cit.

[45]Lombardo, op.cit.

[46]McGurk & McGurk, op.cit.

[47]Homant, op.cit., p.53.

to "even a small number of officers in this particular institution".[48] Further, the Morrises investigating the Pentonville prison in London remarked that the staff

> [were] characterized not by hostility or dislike but rather by despair and disappointment ... [49]

that the inmates recidivated. As Hawkins succinctly points out, this particular evidence by the Morrises

> is of significance not only because it runs counter to the popular stereotype of the prison guard or custodial officer, but also because it reflects a type of interest which relates to a quite different standard of reference from those of discipline, custody and security with which the guard is commonly supposed to be exclusively concerned.[50]

He claims,

> If guards were devoted unambiguously to securing and maintaining dominance and control, then recidivism would be either a matter of indifference to them or, conceivably, something to be welcomed as representing an extension of control over inmates.[51]

Another factor to be considered when investigating prison officer attitude is the level of education attained. Braithwaite and Cass,[52] in a demographic study of Australian prison officers, found less than 0.4% had tertiary qualifications, and a significant percentage had

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[48]Motivans, J, quoted in Hawkins, op.cit., p.86.

[49]Morris, T & Morris P, Pentonville: A Sociological Study of an English Prison, London, 1963, Routeledge & Kegan Paul, pp.255-6.

[50]Hawkins, op.cit., p.87.

[51]ibid.

[52]Braithwaite, J, & Cass, M, "Note on the demographic composition of Australian police forces and prison services", ANZ J Crim, 1979, 12, pp.132-138.

little formal skills. An investigation by Bullard[53] in New South Wales found that some prospective trainees were being refused entry to the service because they had high scores in a psychological test. The barring of these applicants was justified by claiming they would become bored with the work.[54] Bullard points out the folly of this decision and claims that enhancing mediocracy will have long-term ramifications for the service - at both base-grade and managerial level.[55]

In most large systems prison officers tend to remain in the same institution during their service career.[56] They become extremely suspicious when a change of management occurs. In a situation where the staff and procedures have become entrenched, managerial practices can only change incrementally. If sudden change occurs, overt reaction by prison staff may result.[57] Managers must also be aware of the difficulties faced by prison staff in performance of their duties. Some officers, because of the inflated salaries - due to overtime - cannot leave but, equally, cannot face working in the prison environment.

Some attempt suicide,[58] whilst others abuse sick leave. Management not only have to be aware of the interaction between staff and inmates, but

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[53]Bullard, op.cit.

[54]ibid.

[55]ibid.

[56]Jagger, op.cit.

[57]Changing managerial practices in Scotland resulted in strike action by prison staff during the early 1980s.

[58]Three deaths and 77 attempted suicides reported among staff at Pentridge Prison, Victoria. "A Jail that's Killing Its Staff", Sunday Press, 19.4.87.

should have complete background knowledge of the other group they are responsible for - the inmate.

The Inmate and Managerial Techniques 3:3

Managers in all prison systems direct not only the willing - prison staff - but are charged with the responsibility of controlling those who are unwilling - the inmates. It was shown earlier that the manager is subject to many constraints, including philosophy, policy, staff, programmes and implementation. All these variables - human and theoretical - are linked together somehow to manage the institution and ensure it functions smoothly. The smooth running of the prison is dependent largely on how the inmate accepts his imprisonment. Most inmates wish to 'do their time' and return to society as soon as possible. There are very few management problems with this type of inmate. It is the small percentage of inmates who, for one reason or another, fight against the system, that create managerial difficulties. In many cases, the prison atmosphere is dependent upon their actions. They can, by threat or force, make other inmates follow their disturbing practices. Managerial strategies have to be designed to cater for this kind of situation. Some prisons separate these troublemakers from the main stream in small segregation units,[59] making prisons within prisons. Other prisons are specifically set up to handle this type of inmate.[60] The manager must, therefore, be aware of personality types and traits and design his operating procedures to accommodate them.

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[59]For example, Jika Jika (presently closed after inmate deaths) in Pentridge Prison, Victoria, Katingal (presently closed), Long Bay, NSW, and the Special Unit, Barlinnie Prison, Glasgow Scotland.

[60]For example, Peterhead Prison, Scotland.

In the last two decades, there has been a noticeable change away from the strictly authoritarian typology of imprisonment. Prior to this, inmates accepted that this was the established order. This is not to suggest that they acquiesced with it as the various disturbances and riots, too numerous to detail here, show otherwise. The movement towards philosophical change has allowed the inmate a greater say in his institutional stay. With the implementation of various programmes - educational, therapeutic, hobby and technical - the inmate, within reason, can determine his activity during his sentence. This, combined with a 'humane' approach by management, has tended to shift the balance of power in the institution to the inmate.[61]

The prison has no control over the number or characteristics of inmates sentenced by the courts, and must command a variety of techniques to meet particular challenges (these are included later). Can a demographic survey of crime predict what types and categories of inmates the prison will receive? Certain types of crime are endemic in society and it can be taken that most prison systems contain all, or most of the following elements: traffic offenders, fine defaulters, petty theft, burglary and stealing, assaults, robbery with violence, rape and attempted rape, homicide, manslaughter, murder and attempted murder. Whilst this list is not exclusive, it generalises types of crimes most likely to have been committed by serving inmates. There are, of course, inmates who have committed offences which have political motives, for example, the IRA and Paramilitary Protestant Organisations held in

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[61]Clifford, W, Rights and Obligations in a Prison, Canberra: 1982, Australian Institute of Criminology, p.58.

Northern Irish Prisons.[62]

In Australia, the only group represented in prisons disproportionate to their numbers are the Aboriginals. Most of these appear to be held in the Northern Territory Prison System with offences being mainly drunkenness and disturbing the peace.[63] In the last decade the proportion of offenders being sentenced for drug-related crimes has become more significant. Managers must consider these trends and make arrangements to house these various groups so that the functioning of the prison is not disturbed by their presence - as a result of an in-group power struggle. This in turn leads to a consideration of managerial techniques used to facilitate the prison's smooth running.

Managerial Techniques 3:4

The first, and probably best known, managerial technique for the inmate is the classification process. Each inmate soon after his arrival is assessed and classified to a particular category depending on his age, crime, biography, and potential for violence. He may be classified as minimum, maximum, or extremely high risk. Where he is placed to serve his sentence will depend largely upon the number of institutions the particular prison system has available. Victoria, for example, had 12 institutions in 1985 ranging from prison farms - for minimum security inmates - to the State's maximum security facility, Pentridge Prison,

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[62]The Maze Prison in Belfast being probably the most famous, or infamous, of these.

[63]Australian Prison Trends, Australian Institute of Criminology, 1987 Statistics.

Melbourne.[64] The English system had 66 establishments in 1976 for adult males.[65] Scotland, on the other hand, had 12 prisons of varying categories for adult males in 1982.[66] At the other end of the scale is, for example, the Tasmanian prison system which, at present, operates a prison farm and a maximum security prison at Risdon, Hobart (see Chapter IV) for adult males.

It has been claimed that the first aim of classification is the identification of high risk prisoners.[67] Surveys of Australian prisons show a disproportionate bias towards maximum security institutions.[68] The New South Wales prison system, for example,

> is heavily weighted in favour of maximum security in terms both of the number of maximum security institutions in existence, and the high number of prisoners who are incarcerated under a maximum-security regime.[69]

The second major objective of the classification system, it has been argued, is the rehabilitation of prisoners.[70] Classification should be an instrument whereby rehabilitative programmes can be tailored for

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[64]Office of Corrections, Annual Reports, Victoria, 1984-85.

[65]Prisons and the Prisoner: The work of the Prison Service in England and Wales, London: 1977, HMSO., pp.145-150.

[66]The Scottish Penal System, Factsheet 18, 1982, Scottish Information Office, pp.14-15.

[67]Tomasic, R, Dobinson, I, The Failure of Imprisonment, Sydney: 1979, Allen & Unwin, pp.122-124.

[68]ibid, p.41.

[69]ibid.

[70]ibid, p.42.

specific individuals.[71] However, Tomasic and Dobinson suggest that where the emphasis is on maximum security this comes into

> direct conflict with the professed concern for the 'rehabilitative' needs of prisoners.[72]

They claim "minimum security prisons would be more suitable".[73] Given the Australian emphasis there is little evidence of rehabilitation in the classification process.[74]

A second managerial technique directed towards the inmate is the allocation of work within the prison. Again, the size and type of institution will determine prison labour. Some prisons offer a wide-ranging choice whilst others are curtailed because of number of jobs available compared with the number of inmates held.[75] If given a choice, most managers would prefer that all inmates - apart from those segregated for some reason or other from the main prison population - work. The rationale behind this is that 'idle time makes for mischief'. Some jurisdictions in America and Australia make working an option for inmates. The inmate is encouraged to work with a quid-pro-quo reduction in sentence.[76] Other systems place primary emphasis on inmate labour,

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[71] ibid.

[72] ibid.

[73] ibid.

[74] ibid.

[75] For example, the Pentridge Prison in Victoria has many inmates sitting in prison divisions on a daily basis because of the lack of suitable work. Again, the somewhat altruistically named Central Industrial Prison (CIP) in the Long Bay Complex, Sydney has no prison labour except for daily cleaning chores.

[76] For example, NSW.

and a refusal to work on the inmates part can result in loss of remission and/or privileges.[77]

A third technique is the allocation of privileges and the allotment or removal of remission on sentence. This pattern of management action does not affect those inmates who have short sentences or life sentences as far as remission is concerned. Most short sentence inmates have no remission to gain and those sentenced to life, likewise, do not qualify for remission. Privileges may be increased visiting rights, telephone calls, radios or televisions in cells, canteen purchasing facilities, or they may be as simple as extra letter writing, permission to wear track shoes instead of prison-issue footwear, or even a 'late-night' for study purposes. The astute manager can grade these privileges according to inmate behaviour. He, however, must be wary about removing these privileges as "yesterday's privileges become today's rights".[78] Concomitantly, the arbitrary granting or removal of inmate remission may cause discontent amongst both staff and inmates - for differing reasons - thereby, adding to managerial tension.

A fourth, and more increasingly used, practice is the segregation of types of inmates into small self-contained units. These units have been developed to cater for, in some instances, uncontrollable and unmanageable inmates.[79] Others have been created to keep inmates

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[77]For example, Tasmania.

[78]Clifford, op.cit., pp.3-4.

[79]For example, the special unit in Barlinnie Prison, Glasgow. See Boyle, op.cit., for a full description.

segregated for other reasons.[80] Some have grown from single rooms into separate divisions.[81] The establishment of these sections within the prison has led to a practice known as 'unit management'. Basically, the staff designated to participate in this section are chosen on the basis of their skills and expertise. Normally, they are seconded in a semi-permanent basis so that the inmates get used to the same faces and, hopefully, some kind of reciprocity is set up between staff and inmates. In the Scottish system, volunteers manned these units with the exception being the Governor in charge of the unit.[82] The staffing and functioning of these types of units have created further managerial problems.

In some jurisdictions, staff working in the units have been labelled 'crim lovers'[83] and ostracised by their fellow workmates.[84] Inmates, too, have had serious doubts regarding the 'human approach' by staff and, sometimes, request to return to the main prison where they understand the system with its age old 'us and them' dichotomy.[85] Some staff associations disagree with a permanent rostering system preferring to see all staff work each post in the prison on a rotational basis. There may, however, be ulterior motives behind these association

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[80]For example, the AIDs units set up in both Pentridge and Long Bay.

[81]Mainly prison hospitals encompassing all medical services and ancillary functions.

[82]See Coyle, op.cit., pp.201-208.

[83]See Boyle, op.cit.

[84]ibid.

[85]ibid.

actions.[86] It would seem perhaps that the mechanics of prison management techniques are simply a response to the individual environment and that any consideration must take into account the myriad variables impinging on the manager's incumbency. His interaction with staff and inmate alike, and the methods he uses to facilitate prison functioning, are increasingly subject to outside pressure. It may be as Coyle comments on the Scottish Prison System, that managers are no longer managing their institutions. The trinity of centralised head offices, prison officer unions, and inmate power may have forced managers into a more participative form of management than they are willing to admit.[87]

A result of the overcrowding problem in Australian prisons has been the movement to keep inmates occupied and alleviate the boredom caused by the lack of prison labour. Some States are drawing upon concepts approved in other systems,[88] for example, 'humane containment' - or as normal an environment as possible.

When introducing a concept such as 'societal normalisation' into prison, one of the compounded difficulties lies in deciding what is the most apt form of 'normalisation' to be implemented. What is normal practice for

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[86]For example, the Tasmanian Prison Officers' association successfully lobbied the Prison Management to introduce rotating rosters in 'N' division - the punishment and protection wing in Risdon Prison - simply because the permanent staff in 'N' Division belonged to the Tasmanian Public Service Association - the minor union within the prison. This change by management has created further problems. See Chapter V.

[87]Coyle, op.cit.

[88]Victoria, for example, has contracted the Director of Prisons position to a high ranking English Prison Governor. His mandate is for three years. He is attempting to introduce concepts to Victoria from England. Conversation with T Abbot, Director of Prisons, 23.8.87.

one segment of society may be deviant to another. When pressure groups lobby for change in prisons, they present some formula which they claim will help the inmate cope with imprisonment and help him adjust to life outside. These ideas are considered by representatives of those with an interest in the prison system. Since many of these suggestions conflict with actual practice some compromise is usually reached. The implementation, however, remains in the hands of bureaucrats who see the normalisation process as being on their middle class terms. The inmate and his lobbyists perceive it quite differently.

Programmes, Problems of Implementation and Evaluation 3:5

The practicalities of operating any programme are determined by many factors. Most importantly, the concept itself has to have a sound theoretical base, and a proven record of success, before it can be transposed to another situation. Additionally, those policy makers who seek to implement such a programme must fully understand, not only the programme, but the unintended consequences which flow from implementation. Further, the structure of the prison system - both hierarchical and physical - has to be amenable to such a policy. The old cliche about a square peg in a round hole applies in such a situation. Those who control the running of prisons must first determine the primary purpose of the prison: is it for custody or treatment? Also, there are inherent difficulties in translating general goals into specific prison-level activities.

Programme adaptation suffers similarly. A prescribed philosophy must take into account various factors such as staff, clientele, physical

surroundings, funding and equipment. If a programme has found a modicum of success in one institution this does not necessarily guarantee the same rate of success at another. It does appear, however, that 'successful' programmes have a 'trickle-down' effect into other prisons. Administrators and managers meet at various conferences and report the success of a particular programme. The rudiments are brought back to the individual manager's system and are then applied - albeit in a modified fashion to suit the different requirements of the institution. As Palumbo has pointed out, the result is usually negligible.[89]

There are many problems associated with the implementation of any programme. Apart from the common staff/finance shortages so frequently found in the prison setting, there is the basic difficulty of introducing a programme into circumstances which may be fundamentally antipathetic. Very few prison programmes are original. As a concept, rehabilitation was designed to help 're-educate' the inmate to the error of his ways and, hopefully, prepare him to be a 'normal' member of society upon his release. However, the setting of his re-education - the prison - is by definition a place for isolating him from the 'normal' society. The structure and surroundings are a constant reminder of what he is, and why he is there. The programme's potential for success may therefore founder at the point of its implementation in the prison environment.

Of prime importance in getting a desired programme implemented is its acceptance by both staff and inmates. This is particularly true where

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[89]Palumbo, op.cit.

either side suspects that implementation will bring a change in the pattern of established interaction. When faced by innovation, each group will try to assert its influence to maintain the status quo enjoyed prior to policy change. If one group gains added power the other may provoke trouble for management in the form of disturbances by inmates or industrial behaviour by staff. The traditional pattern of interaction between officer and inmate prior to World War II was of keeper and kept, watcher and watched. Each side had its own set of rules - formal and informal. No deviations from this pattern were offered or expected. Officers were recruited mainly on their ability to maintain order and discipline. Inmates who failed to obey, or created a disturbance, could thus be coerced by brute force into submission. Prison rules and regulations were to be strictly obeyed by both officers and inmates. Thus, interactions between staff and inmates and all movements within the prison were guided by official legislation. However, when rehabilitation was newly promoted, no provision was made in the rules and regulations to guide those within the prison and help them adapt to the changing philosophy. A 'humanitarian' approach was suddenly the order of the day, but the expected focus of change was handicapped by rigid staff procedural practice. Staff training was based on custody and control. The officer recruit had to display a proficiency in the prison's primary task of achieving order and avoiding conflict. If the recruit failed in this, then, no matter what he was worth, he was judged unsuitable for prison work.

The implementation of new concepts or programmes in prisons suffer from a lack of understanding or trust by both staff and inmates in the

institution. Staff are extremely conservative by nature. They view new and changing practices as a further diminution of their authority. Their bureaucratic 'bible' - rules and regulations - guides them during their tour of duty. When a new practice is introduced, unless it is catered for by the 'bible', the officer is at a loss as how to approach the situation. Invariably, he falls back on his customary position of management being 'all for the inmate'. He suspects management of providing funds for inmate programmes to the detriment of his 'professional' development, for example, training. Normal prison officer recruiting requirements (see Bullard) mean that his potential for understanding the practice, yet alone implementing it, is questionable.

A second barrier to implementation is prisoner attitude. The basic problem here lies in infiltrating the informal system of inmate subculture which determines the actions and reaction of those who are imprisoned. Berk[90] identified two types of informal organisation among inmates. One was supportive of the official structure and the other was antagonistic to it. Berk suggested that the goal of treatment encourages the development of the former and the goal of custody the latter. However, this is questionable.[91] The problems faced by inmates in the custodial institution tend to be more severe and, in addition, inmates perceive the custodial institution itself to be

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[90]Berk, B B, "Organisational goals and inmate organisation", Amer.J Soc., 71, 1966, pp.522-535.

[91]For example, Martinson's argument does not support Berk's claim. Martinsen(1974) op.cit.

responsible for their problems. As a result, they band together in opposition to the prison and its administration, which they see as the source of their frustrations.[92] Berk goes on to say that, consequently, inmate subcultures tend to be dominated by 'professional' criminals who impose their values on the rest of the inmates, thereby further emphasising the strict demarcation between the officers and the inmates,

> since these groups \are seen as fundamentally in opposition to one another.[93]

The difficulty in appraising the benefits of this system to the inmates are several. The new inmate will evaluate the programmes in ignorance of prevailing practice and fail to recognise their innovative quality. The recidivist may regard the change as purely cosmetic - a sufficient concession but no more. The short-sentenced prisoner because of remission and partly suspended sentence may serve only a little time, and therefore be excluded from the available programmes. Some will not wish to participate for a variety of reasons.

What do Tasmanian inmates regard as normalisation programmes or techniques? In a survey conducted by staff, and this author, in the education section of HMP Risdon, inmates' choices were initially grouped into five categories: education (E); vocational training (VT); recreation (R); counselling (C) and religion (RN).[94] A broadsheet then

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[92]Berk, op.cit, p.527

[93]ibid.

[94]Adapted from correctional models and programmes by Joplin, J W, and Hendricks, J E, 'Correctional Management: A Philosophical Perspective', Corrections Today, 1981, pp.85-88, 43, 6.

listed these five categories, and inmates were asked to order their preference from 1 to 5 - with 1 representing high priority and 5 low priority. Table I gives the results of the survey.

TABLE I

		E	VT	R	C	RN
HIGH	1	25	0	11	4	0
	2	9	15	9	4	3
	3	4	14	8	13	1
	4	2	10	8	15	5
LOW	5	0	1	4	4	31

Inmate Category Choices N = 40

Over 50% favoured education courses as their first choice, while 75% put religion at the bottom of their list. None of the surveyed listed vocational training as their first choice but over 25% preferred recreational activities over anything else. While the results themselves are not significant in a statistical sense, the sample indicates how one fifth of HMP Risdon inmates list their priorities. It may be, however, that these inmates' voting patterns are representative neither of the prison as a whole, nor of Australian prisons in general. The choices of categories determined by Risdon inmates may also be a reflection on the programmes offered in this system. However, it may be suggested that education does hold a prominent position in most prison establishments, and that this programme could be pivotal in the supply of other programmes or introduction of changing rehabilitative techniques. The measurement of educational practices is far more advanced than the measurement of, for example, an elusive rehabilitation. The increasing trend by Australian prison administrators to substitute terminology such as developmental

programmes for prisoners (DPP) may indicate that they are now searching for a concept which can be quantitatively measured.[95]

A third problem for prison managers wishing to implement new programmes is the 'specialist' who arranges or takes part in the specific format. He could be from a variety of disciplines, for example, psychiatry, psychology, social work, teaching, or medical. Staff and inmates perceive him differently. The officer may think that he - the specialist - is another 'do-gooder' and comes to prison to help the inmate make life easier. The officer will maintain that the inmates are 'only pulling the wool over their eyes' and that he - the officer - is better placed to judge inmate behaviour due to his day-to-day contact. The inmate, on the other hand, may see the specialist - especially psychiatrists and psychologists - as being part of the legal process whch sentenced them and that their major mandate is not to cure, but to substantiate the decision to incarcerate.

The evaluation of policy implementation is complicated by two major problems.[96] One is the question of whether programmes should be essentially the same in each location where they are implemented or changed so as to be able to fit into the local embedding context.[97] How far can the adaptation of a programme go before it is no longer a "faithful rendition" of the original policy or programme.[98] The

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[95]Noad, B M (ed) Developmental Programmes for Prisons, Seminar Proceedings, No.5, October, 1984, AIC, Canberra.

[96]Palumbo, op.cit., p.1.

[97]ibid.

[98]ibid.

difficulty in formulating a specific programme for an institution lies in the area of programme origin. Most programmes have elements from other systems or institutions whilst some are borrowed en bloc. What is successful in another location may fail as a transplant. Successful implementation, therefore, is contingent upon the specific circumstances in which the programme is being implemented. What is successful in one context may not be in another.[99]

Palumbo has suggested the second major problem to be

> the question of what the research purpose is in evaluating the implementation of programmes.[100]

So,

> Is the purpose to reach generalisations about the implementation process or is it to improve implementation in the specific location where it is being evaluated.[101]

When introducing policies, Palumbo has suggested that there are generalisations which are close to being laws. Among these generalisations,[102] the most salient are that

> Government policies are bound to be general in character and tend to be incomprehensible except by reference to practice: In the world of politics, all policies (even those that involve hard technologies) have multiple objectives: Those who implement government policies have values of their own and will give meanings that they prefer to the policy; Conflict is an unavoidable part of policy formulation and implementation; Implementation is intrinsically an interactive process based on give-and-take and on

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[99] ibid, p.19

[100] ibid, p.1.

[101] ibid.

[102] For a full list of generalisations see pp.6-7.

trial-and-error".[103]

The conclusion reached by Palumbo is that an adaptive implementation strategy is the "most appropriate one in all government programmes".[104]

Programmes will not be the same in each location but will be adapted and modified to fit into specific needs and circumstances.

PRISON OFFICERS UNIONS 3:6

Whilst it is recognized that prisons are a 'necessary evil', it is erroneous to believe that it is only prison administrators who make policy. The management of prisons is determined by several conflicting elements including social and political philosophies, and the emergence of pressure groups such as prisoner action groups and women behind bars. In recent times a further lobby has arrived - the prison officers union. This group now seems to have a major input into determining whether policy will be implemented, or rejected. Also it is the union hierarchy which can be influential in formulating the future role of the prison officer. If, as in England, the union leaders push for a more useful role for the front-line officer, then management must consider what implications this will have on the overall running of prisons. On the other hand, if, as in Australia and America, unions see management as encroaching on the customary practice of 'keeping and watching' then any statements to the contrary by the union executive on the role of the base-grade officer are only meaningless diatribes.

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[103]Palumbo, op.cit., p.7.

[104]ibid.

Union hierarchies are usually composed of the 'long-serving' officer element who are, in the main, survivors of the 'us and them' mentality. The 'us and them' has two components - officer/inmate and officer/management. Traditionally, officers have been recruited from working class backgrounds and the 'us and them' mentality has been carried into the prison and enhanced by the duality of inmate and management interaction. Thus, any movement to break down the customary antagonisms is met with scepticism and suspicion by union leaders who see their role as protecting the custodial authority once implicit in the prison officer. Therefore, any approach by management to 'humanise' inmate conditions is met with claims that prison authorities are more concerned with those who have broken the law than those who are employed to keep the lawbreakers locked away from society. It appears paradoxical that union leaders wish to 'professionalise' the service yet resist any attempts to involve their membership in any interaction with inmates that calls for a more humanitarian approach.

CONCLUSION 3:7

It has been argued that the prison manager's position is subject to many constraints - both simple and complex - and his role within the prison organisation is not one of directing, but rather one of conciliation. He becomes victim to philosophical change and like his charges - both staff and inmates - he has to adapt to the changing climate. Whereas the staff and inmates have avenues for redress - prison management in the first instance, visiting dignitaries, central authority and, finally, Government - his channels are few. His support by peers will depend upon their view on how the situation arose, what steps he took to

counter it and the subsequent results. He is subject to pressures not only from the staff and inmates but from his contemporaries and his peers. He is also indirectly subject to pressure groups advocating penal reform and changes of Government which issue in the denunciation of previous Government prison policy. He is at the mercy of the media because, as a public servant, he cannot comment individually, but only through the medium of his union or association - if one exists. He wins no sympathy from the public, staff, or inmates, if his actions precipitate a strike or disturbance which reduces normal servicing of prisoners. Many managers fail for a variety of reasons: psychosomatic and nervous illness, dependency on alcohol and drugs, growing frustration with the system or fear of physical attack. Many are held captive by the system because of age, qualification and expertise. It is fair comment that once found wanting in one system, the ex-manager's chance for re-employment in another are minimal.

CHAPTER IV

HMP RISDON

HMP Risdon is the Tasmanian Prison System's single maximum security facility for male inmates. It is situated on a 37½ hectare block on Hobart's eastern shore. HMP Risdon (hereafter known as Risdon Prison) was opened on 23 November 1960[1] to replace the Campbell Street Goal which was closed by Government decree - being dilapidated, insecure and costly to maintain. Upon opening, Risdon Prison was the only prison in the Commonwealth which accommodated its inmates in single cells connected to the sewerage system. Originally built to house 342 inmates, the prison has a present capability of providing bed space for 354.[2]

Until September 1985, the prison was part of the then Prisons Department - a separate Department within the Tasmanian Government Public Service. However, a rationalisation of legal agencies - Attorney-General, Corporate Affairs, Crown Law, Prison, and Register-General - saw the creation of the Law Department.[3] The Division of the Law Department known as Corrective Services came into being officially on Sunday 1 September 1985, with the proclamation of the commencement of the Prison Amendment Act and the Corrective Services (Miscellaneous Amendments) Act of 1985.[4] The creation of the Division had brought together under one

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[1]See Controller of Prisons submission to the Grubb Enquiry, op.cit., appendix N, p.2.

[2]Includes the Prison Hospital 28 beds, and a new section of N division creating an extra 20 beds. However, S Division, 4 beds, is now closed, and A-F Divisions lost two cells each for staff offices and toilets.

[3]See The Mercury (Hobart) 13.11.82.

[4]Law Department, Corrective Services Division Staff Newsletter, undated, 1985.

Head - the Director of Corrective Services - the Prisons Service and the Probation and Parole Service and, according to the Secretary of the Law Department, this amalgamation would

> permit the development of a unified approach to corrections philosophy, training of officers, and the treatment of offenders.[5]

The Tasmanian Prison System consists of Risdon Prison; a separate female institution which can accommodate 24 inmates, and is situated on the main Risdon property; a prison farm at Hayes, in the Derwent Valley, which has bed space for 70 male inmates; a prison at the Police Headquarters building in Launceston which is a temporary holding centre where prisoners are held prior to being transferred to Risdon; and finally, a medium security prison - again situated on the main Risdon property - which can house 36 inmates, but is presently closed. Additionally, under Sections 4 & 5 (1A) of the Prison Act (1977) along with Statutory Rules 1986, prisons were proclaimed in Devonport (No.146) Launceston (No.147) and Burnie (No.148).[6] These prisons are actually police lockups but the proclamation brings their operation and manning under the ambit of the Director of Corrective Services.

The Prison System is staffed by both uniformed and custodial staff and civilians (See Figure I) who are employed under the Public Service Award - mainly in the General Officer category. At the apex of the uniformed hierarchy is the Chief Superintendent. This is a recently created position (1985) and replaced the former senior uniformed office of

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[5] ibid.

[6] Law Department file, 9/1/1.

Superintendent - previously known as Governor. After the Legislative Council in Tasmania had passed all stages of the Prisons Amendment Bill,

Figure I: Details of Prison Service Staffing:

Administration staff, drivers and storekeepers			17
Education Officer			1
Recreation and Amenities Officer			1
Welfare Officer			1
Fire Officer			1
Risdon Prison	Dept Chief Supt	1	
	Principal PO	1	
	Chief PO	9	
	Senior PO	17	
	Trade Instructors	14	
	Prison Officers	112	154
Maintenance and Service Staff			5
Nursing Staff	Nursing Officer-in-Charge	1	
	Nurses	6	7
Female Prison	Supt	1	
	Dept Supt	1	
	Prison Officers	5	7
Farm	Supt	1	
	Chief PO	1	
	Senior PO	2	
	Prison Officers	10	
	Drivers & Service Staff	3	17
			211

[7]

1984, and the Corrective Services Amendment Bill, 1984, the way was cleared for the appointment of a Director of Corrective Service, (replacing the former position of Controller of Prisons), a Chief Superintendent (replacing the Superintendent), and a Deputy Chief Superintendent.[8] This last position did not replace the position of

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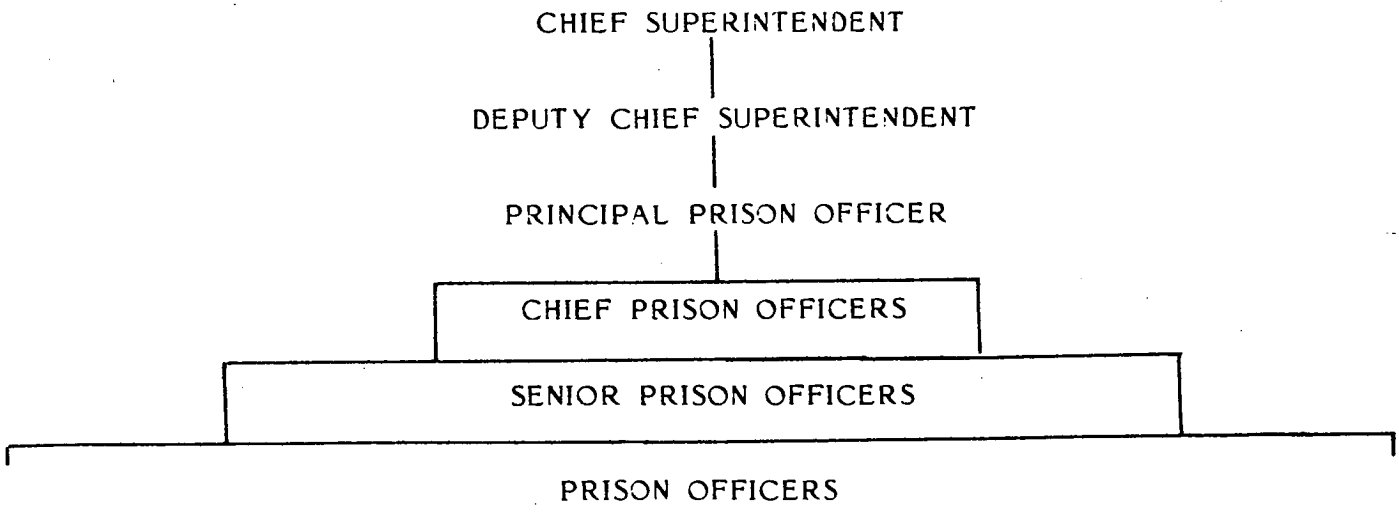
[7]Law Department. Consolidated Fund. Appropriation Bill 1986-87, Division 17, Explanatory Notes, p.1827.

[8]Law Department file 20/23/1.

Deputy Superintendent which remains as such, although presently unfilled. Senior managerial positions at Risdon were to have been the Chief Superintendent, Deputy-Chief Superintendent, and an Assistant Superintendent of Prisons.[9] But, by 9 June 1985, the Secretary of the Law Department indicated to a meeting of the Correctional Services Implementation Committee that the Assistant Superintendent position had been deleted from the 1985/86 Estimates.[10] Therefore, at present, the senior uniformed management staff consist of the chief and Deputy-Chief Superintendents.

Prison staff are arranged hierarchically in a typical Weberian Legal Rational Bureaucratic authority structure (see Figure 2). At the top is the Chief Superintendent whose function is to be "responsible for the daily management of the Prison Service".[11]

Figure 2: HMP Risdon Hobart, Tasmania, Formal Authority Structure



[9]Minutes of a meeting of Corrective Services Division Implementation Committee, 29.3.85.

[10]ibid, 21.6.85.

[11]Law Department Corrective Services Division Prison Standing Orders, ODI (1).

Next in the hierarchy, and directly responsible to the Chief Superintendent is the Deputy-Chief Superintendent. This position is responsible

> for the due order, management and discipline of the prison under his charge.[12]

The third ranking uniformed position is the Deputy Superintendent (presently unfilled). Apart from taking over the role of Deputy-Chief Superintendent during his absence, the Deputy, among others, is responsible to the Deputy-Chief Superintendent "for the due order and discipline of the prison".[13] Under the Deputy Superintendent is the position of Principal Prison Officer. His role is to

> perform such duties as may be allotted to him by the Chief Superintendent and, in the absence of the Deputy Superintendent, or, where there is no Deputy Superintendent, he shall perform the duties pertaining to the office of Deputy Superintendent.[14]

Below this level the hierarchy of uniformed custodial staff begins to flatten out. Although there is no mention of direct responsibility to the Principal Prison Officer, the next ranking level is Chief Prison Officer (CPO). At Risdon Prison there are nine 'CPO' positions. CPOs are in charge of the daily work shifts, for example, 6am - 2pm and 2pm -

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[12] ibid, OD2 (1)(A)

[13] ibid, OD3(1).

[14] ibid, OD4(1).

10 pm, while the night shift, 10 pm - 6 am, is controlled by a Senior Prison Officer. There is a 9am - 5pm 'spare' CPO who looks after prisoner sports at the weekends and assists the Principal Prison Officer during weekdays. CPOs also man the prison surveillance system from 7 am - 5pm (two CPOs normally share this duty, working 2 hours apiece). One final CPO position is that of fulltime security officer. All CPOs work on a 7 day roster. The Chief, in the absence of the Principal Prison Officer,

> may perform duties pertaining to the office of Principal Prison Officer.[15]

The Principal Prison Officer and the Chief Prison Officers are the equivalent of 'foremen' or 'middle management' in the prison.

The last ranking officer before the base-grade level custodial staff is the Senior Prison Officer (SPO). There are 17 gazetted positions for this rank. His role is to

> perform such duties as may be allocated to him ... and in the absence of a Chief Prison Officer may perform the duties pertaining to the office of Chief Prison Officer.[16]

The lowest rank in the hierarchy is the base-grade prison officer. There are approximately 115 men working in this position although numbers sometime reach 126 and as low as 100, depending on resignations and retirements. The base-grade officer carries out his allotted duties under the direction of the Chief Prison Officer in charge of the daily shift.

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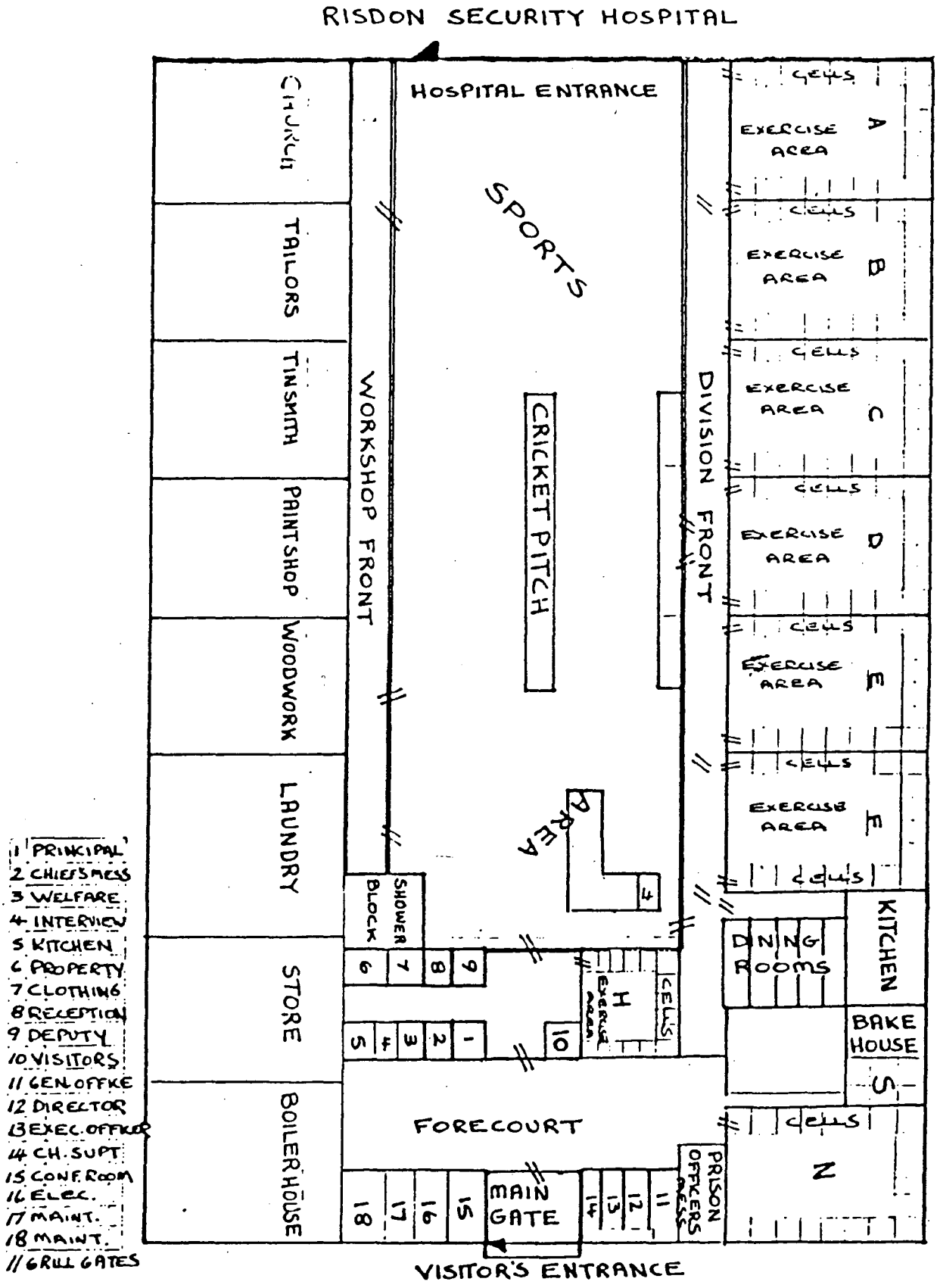
[15] ibid, OD4(2).

[16] ibid, OD4(3).

The prison contains several discrete, but not mutually exclusive elements: the administration block, situated just outside the main gaol fence perimeter; the education section and library, which are separate units but housed together in the education block; the machinery plant; the prison workshops - laundry, woodwork, paintshop, tinsmiths, tailorshop, kitchen and bakehouse; the prison hospital - attached to the rear wall of the prison; reception area for processing inmates; the cell blocks (called divisions); and a separate punishment and isolation unit (see Figure 3). Apart from the administration block and machinery plant, prison officers are rostered to all of these areas as well as the surveillance towers at the corners of the prison (there are four towers but two are presently closed). They are rostered on a 7 day cycle working a variety of shifts, for example, 6am - 2pm, 7am - 3pm, 7.30am - 4.30pm, 8am - 5pm, 9am - 5pm, 9.30am - 5.30pm, 2pm - 10pm, and night shift 10pm - 6am.

Figure 3: Plan View HMP Risdon



Risdon Prison houses all classes and categories of inmates. There is a separate remand section called H division (see Figure 3) where those who are awaiting trial, have filed to secure bail, or are appealing against conviction or severity of sentence are held. Their daily routine is similar to other inmates with one exception - they do not work. A remandee, however, may elect to work and 'signs over'. If he is allocated to a workshop, he will be moved to a sentenced inmates division. Whilst on remand he is allowed two visits per week whereas the sentenced inmate has one half hour visit per fortnight. By 'signing over' the remandee forfeits the two visits per week and has the same visiting privileges as a sentenced inmate. Once the inmate has been sentenced, he appears before the prison classification committee. Members of the committee include the Chief Superintendent, the Deputy-Chief Superintendent, the Principal Prison Officer, a Chief Prison Officer, the Welfare Officer and the Nursing Officer in Charge. This committee determines the prisoner's security rating and progress in the system. The classification process includes interviews to determine the age of the offender (see Figure 4), the type of crime committed (see Figure 5), whether a first timer or recidivist (see Figure 6), medical history and/or psychiatric prognosis, and the length of sentence (see Figure 7). These details all enable the classification committee to allocate him a position within the prison system - unless he needs protection.

Figure 4: Number of Prisoners Received by Age, Tasmania, 1984-85.

Age (Years)	Prisoners Received	
	Males	Females
Under 19	84	4
19 - 20	79	3
21 - 24	146	3
24 - 29	110	5
30 - 34	74	2
35 - 39	46	2
Not Known	2	0
TOTAL	619 *	22 *

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Figure 5: Imprisonments by Most Serious Offence, Tasmania, 1984-85.

Most serious offence (a)	Imprisonments	
	Number	Percent
Offences against the person	71	10.2
Robbery and extortion	5	0.7
Breaking and entering fraud and other offences involving theft	232	33.3
Property damage and environmental offences	25	3.6
Offences against good order	135	19.4
Drug offences	29	4.2
Motor vehicle, traffic and related offences	198	28.4
Other offences	1	0.1
Not known	1	0.1
Total	697	100.0

(a) Where a prisoner is sentenced for more than one offence, the most serious offence has been counted. This is the offence resulting in the longest sentence.

18

[17] Tasmanian Year Book, No.20: 1986, Australian Bureau of Statistics, Tasmanian Office, p.92.*

[18] ibid.

Figure 6: Number of Prisoners received

	Number of Imprisonments in previous years					
Age	0	1	2	3+	Not known	Total
Under 19	49	22	9	8	-	88
19 - 20	42	28	14	9	-	82
21 - 24	57	33	12	47	-	149
25 - 29	43	16	10	46	-	115
30 - 34	28	9	1	38	-	76
35 - 39	18	3	7	20	-	48
40 - 44	15	2	4	12	-	33
45 - 49	7	3	2	4	-	16
50 - 59	12	1	-	6	-	19
60+	5	4	-	4	-	13
Not known	1	-	-	-	1	1
TOTAL	277	110	59	194	1	641

(a) by age and number of imprisonments in previous years 1986, and
(b) convicted prisoners received twice or more in a year are counted only once in that year.

[19]

[19]Pocket Year Book of Tasmania, 1987, ABS.

Figure 7: Length of Sentences, Tasmania, 1984-85

Length of Sentence	Percentage of imprisonments
Life	1.0
10 years or more	0.1
2 to under 5 years	2.7
1 to under 2 years	8.0
6 months to under 1 year	19.5
3 months to under 6 months	21.2
1 month to under 3 months	22.0
8 days to under 1 month	18.2
7 days or less	7.2

Figure 8: Daily Average Population for HMP Risdon, 1985-86[20]

1985		1986	
July	229	January	244
August	238	February	250
September	243	March	267
October	246	April	279
November	251	May	293
December	253	June	270
		July	262
		August	266

[21]

[20]Tasmanian Year Book, op.cit.

[21]Law Department explanatory notes, op.cit., p.1836.

The number of inmates held in Risdon has fluctuated from a daily average high of 380 in the early 1970s and 1980s to a minimum of 203 in the early 1980s. Reasons for this drop included better parole facilities, greater use of probation, and the Tasmanian innovation of work orders, as well as greater leniency in sentencing by the courts. However, in the past two years, the daily average prison population has again risen (see Figure 8). Since Risdon Prison has opened there has been virtually no change in the daily routine of the average inmate, average, that is, in the sense that he is not hospitalised or separated for his own protection. The inmate's weekday begins at 7 am when he is unlocked and he is marched to breakfast. Hours of work - in his allotted workplace - run from 8am to 12 noon in the morning and 1pm - 4pm in the afternoon. He is locked in his cell at 5 pm.

For the first three years, the new prison at Risdon maintained a purely custodial function. Then, in 1963, the first prison education officer was appointed,[22] to be followed by a welfare officer.[23] In the late 1970s, the prison hospital was completed and opened with both general and psychiatric nursing staff. This gradual diversification of internal function has materially affected inmate life. Before 1960, the only facility offered to inmates at Campbell Street gaol was toymaking for a four month period before Christmas each year. This contrasts with the amenities now available - educational courses, recreational pursuits like art and metal work, chess and debating, television and sporting facilities.

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[22]See Grubb Report, op.cit., Appendix N.

[23]ibid.

The progression of change in Risdon has been slow but steady. In 1975, after his evening meal, the Tasmanian inmate returned to his cell around 5 pm, unless he was enrolled in a hobby group. When his cell was locked he could read, write letters, listen to the inbuilt radio until 10 pm or sleep. If the inmate applied to join a hobby group the restriction on group members and large waiting lists meant that he would probably not be enrolled quickly. Access to these groups were limited for a number of reasons. The inmate considered to be a risk had practically no chance of selection. Short-time sentenced prisoners were excluded on the grounds that these would derive too little benefit as they would soon be back in society. Others, because of infirmity or handicap, were passed over for selection on the basis that they would be unable to cope with the specific craftwork.

Surprisingly enough, the physical structure of the prison was a catalyst in the offering of new services intended to aid inmates. Numerous complaints by the inmates about the poor quality of sound and static of cell inbuilt radios led the authorities to grant inmates who could purchase a transistor radio, the right to have one in his cell. However, in order to prevent the practice of transferring these radios from inmate to inmate, the authorities issued a voucher recording the inmate's name and radio number. If the inmate had an unauthorised radio in his cell, or a radio without a 'licence' he would be charged and most probably lose the privilege of the radio. For those who could not purchase a radio or have one brought in by relatives or friends the Prisoner's Aid society and City Mission donated some secondhand transistors. Privately owned transistors resolved some problems but

created a new one - the rapid exhaustion of batteries. Eventually the prison management decided that batteries could be purchased from the prisoner's earnings. As the prison inmates had no legal access to outside toiletries or confectionery, the provision of a 'canteen' was introduced by the sporting and recreation officer. Inmates could 'spend' half of their monthly earnings (normally 50¢ per day) on a variety of goods approved by the management. This proved a popular innovation although limited to prisoners serving longer than 3 months.

During the late 1970s a number of better educated inmates began to demand further education courses. The normal courses available were remedial to help the poorly educated inmate. Correspondence courses from South Australia and Queensland were initiated, and, various courses were undertaken. One inmate enrolled for tertiary study at the University of Tasmania and has now passed several units towards a BA. The role of education has expanded to the extent that another education officer has been added to the staff - albeit on a part-time basis.

The prison has had an alcoholics anonymous group for a number of years with outside visitors coming in to address the group members. Numbers and attendance have fluctuated. The club has been in recess largely because of the relative youthfulness of the present inmates. Another possible reason for its decline could be that the time has been changed from 6 pm, when inmates were released from cells to participate, to a weekend afternoon when most people play some sort of sport or watch TV. Chess and debating groups have flourished with outside teams competing against the inmates. Probably the most successful innovation has been the mini-football competition between the prison divisions. This

competition has fostered a group-cohesiveness previously lacking. The success of the football has led to outside teams being invited to participate against the prison-all-stars. One inmate was considered to be such a good prospect that a leading TFL club obtained his signature prior to the expiration of his sentence.

In the early 1980s, several programmes on alcohol abuse were presented in the prison hospital. These were formulated in conjunction with the alcohol units of the John Edis Hospital - the government centre in Hobart specialising in alcohol and drug abuse. Courses ran for four weeks with the inmate attending the hospital on a daily basis. This exercise has been judged to be a positive step in prisoner programming although there has been a lack of information as to its practical success. By far the most intensive course introduced for the inmate has been the pre-release scheme formulated by the school teacher. This course runs for a week prior to the inmate's release. Here a number of outside agencies inform the inmate of the various benefits he can obtain, the skills he can learn and the people to approach on a variety of needs. Although most of the old-timers amongst the inmates see the programme as a waste of time, the young offender may glean some information of use in his later adjustment to the outside world.

One of the major difficulties that the Prison System in Tasmania has faced since the opening of Risdon Prison in 1960 is the apparent lack of Government philosophical commitment. Interviews with several former Attorneys-General who held office between 1969 and 1986 produced little evidence of philosophical goals applicable to Risdon, or awareness of inheriting any such programme.[24] Thus, prison management has, by and

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[24]E M Bingham, QC, 3.11.87.

large, had discretionary power from the prison's opening until the absorption of the former Prisons Department into the newly created Law Department in 1984.[25] An interview with the former Controller of Prisons - who held senior management positions from before the Risdon opening until his retirement in 1981 - confirmed that he had never consciously been given a philosophical mandate to use in Risdon Prison by any of his former Ministers.[26] It may well have been that as one former Attorney-General commented, "Prisons were not exactly at the top of the list".[27]

The Liberal/Centre Party coalition won Government in 1969 from Labor who had held office for the previous thirty-four years. The incoming Attorney-General was committed to the concept of an overall Criminal Justice System for Tasmania.[28] His view was that prisons should be part of a total system and that the Risdon Prison could be used as a measure towards the secondary goal of rehabilitation or treatment.[29] He formulated his proposal after studying similar concepts in the USA.[30] His government, however, was defeated in 1972 when Labor again took office and his proposal never took effect.

G A Pearsall, MHA, 11.11.87
M C Everett, 19.11.87.

[25]See footnote 4.

[26]D Hornbrook, 19.11.87.

[27]Everett, op.cit.

[28]Bingham, op.cit.

[29]ibid.

[30]ibid.

The Liberal Party gained government in its own right in 1982 and he again took the portfolio of Attorney-General. Prior to his retirement from politics in 1984, elements of his original proposal were implemented with the creation of a Corrective Services Division of the Law Department through the amalgamation of the former Prisons Department with the Division of Probation and Parole. However, by this time the general commitment to a solid philosophical base had been weakened by the decade on the Opposition benches "the government's not rocking the boat philosophy",[31] probably the disillusionment of Western Prisons Systems with the concept of rehabilitation, and "a priority emphasis on the creation of a single state legal set-up".[32]

It was mentioned at the end of the previous Chapter that the Senior Management Staff at Risdon had been particularly stable for Risdon's first decade. During the seventies and early eighties several changes in senior management have occurred (see Chapter III).

On the other hand, the Head of the Department (COP) and head of Division (DOCS) have had ten Ministers (Attorneys-General) to deal with (see Figure 9).

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[31] ibid.

[32] ibid. He was the only Minister to have previously held a portfolio.

Figure 9: Tasmanian Attorneys-General 1960-1987

Attorneys-General	Government	Premier	Service
R F Fagan	Labor	Reece	1960-69
E M Bingham	Liberal/Centre	Bethune	10.5.69
M G Everett	Labor	Reece	22.4.72
W A Neilson	Labor	Reece	18.5.74
B K Miller	Labor	Neilson	31.3.75
B K Miller	Labor	Lowe	1.12.77
B K Miller	Labor	Holgate	11.11.81
E M Bingham	Liberal	Gray	26.5.82
G A Pearsall	Liberal	Gray	12.3.86
J M Bennett	Liberal	Gray	12.3.86

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Whilst these Ministerial changes have not materially affected the prison management function, it has meant that the Tasmanian Prison Officers Association (TPOA) has become suspicious of Liberal Government Policy towards the Prison. The Staff Association's reaction to several Liberal initiatives - when in Government and Opposition - flowed on to the relationships previously nurtured between Prison Management and staff. (The Liberal initiatives will be covered later in this Chapter - as will the reactions by the TPOA.)

Like many Prison Systems, Tasmania has had its share of escapes and riots which add to the complex task of Prison Management. When the

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[33]adapted from the various Tasmanian Year Books, op.cit.

Risdon Prison was opened it was described as "the most modern in the world" and "as near escape-proof as could possibly be achieved.[34] This myth, however, was shattered in April 1964 when three prisoners escaped.[35] In April, 1967 a deliberately lit fire destroyed the prison workshops with the exception of the laundry which had only superficial damage.[36] This caused considerable managerial problems as most of the inmates worked in the now-destroyed workshops. It meant they had to remain in the Divisions during the period that they would normally have been at labour. The problem of having a large number of inmates with nothing to do except play cards, etc, normally leads to unrest through boredom, with a concomitant upsurge in discipline and security breakdown. The reduced security situation was exacerbated by the delayed rebuilding of the Prison workshops, which were not completed until 1970.[37] However, in 1969, another three inmates escaped, exploding once and for all, the myth of impregnability.[38]

Alarmed at the thoughts of future escape, the Controller of Prisons contacted the new Liberal/Country Party Attorney-General to arrange for added security.[39] The resulting discussions issued in a perimeter fence proposal.[40] Unfortunately, before its installation, a mass

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[34]Grubb Report, op.cit., Appendix N.

[35]ibid.

[36]ibid.

[37]ibid.

[38]ibid.

[39]Hornbrook, op.cit.

[40]Bingham, op.cit.

breakout occured of inmates from the Remand Yard, or H Division (see Figure 3) by climbing up on to the Division roof - the enclosed wire recreation yard in the Division had no meshed roof - and escaping over the perimeter walls of the prison to freedom.[41] The wire perimeter fence was completed in 1971 and proved insurmountable, until the escape of an inmate, in the back of a laundry vehicle, in 1986.[42]

A series of riots in other Australian States in the early 1970s[43] may have been the catalyst for the outbreak of violence which occurred at Risdon Prison on 22 October 1972.[44] This lasted about four days and was purportedly caused by minimal payments to inmates.[45] In his Annual Report (1972-73) the Controller explained that

> ... serious rioting [had] broken[n] out ... and continued in varying degrees of intensity over a period of some weeks (sic).[46]

He maintained that the trouble began when an inmate spokesman

> ... presented ... a list of grievances and demands for additional privileges.[47]

The Controller was adamant that

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[41]Grubb Report, op.cit., Appendix N.

[42]See various Mercury (Hobart) articles, 3 - 12 October, 1986

[43]Fiori, op.cit., Ch.9.

[44]Grubb Report, op.cit., Appendix N.

[45]See The Mercury (Hobart) 23.10.72.

[46]Controller of Prisons Report for Year Ended 30 June 1973.

[47]ibid.

> There was no justification whatsoever for the action taken by the rioters and there was no substance in complaints of alleged poor food and other conditions at the prison.[48]

Almost 100 inmates were charged with disciplinary offences in a specially convened magistrate's court set up at Risdon Prison. Extra prison sentences of from one week to one year were imposed on 62 of the offenders.[49] Many of the current staff who were present during the riot blame the administrative decision to allocate television sets to the best behaved prison Divisions as the catalyst for the riot.[50]

Another small disturbance, reported in A Division (see Figure 3) after lockup in 1974, resulted in the use of tear gas and a warning shot fired up through the Division front entrance.[51] The latest insurrection took place in 1980 at the Medium Security Institution - for selected short term inmates - situated outside the main perimeter fence. A number of inmates who worked in the prison grounds smuggled a quantity of alcohol inside the building and became riotous after consuming the contraband. Again, tear gas was used and the institution was subsequently closed as a result of the disturbance.[52]

Of more serious concern to the Risdon management was the Commission of Enquiry in 1975 ordered by the Neilson Labor Government, into - amongst other things - "The Administration of Prisons in Tasmania".[53] The

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[48] ibid.

[49] Grubb Report, op.cit., Appendix N.

[50] From conversations with several CPOs.

[51] Grubb Report, op.cit.

[52] See various articles, The Mercury (Hobart) March 1982.

[53] Grubb Report.

Attorney-General selected an Acting Judge of the Local and District Criminal Court of South Australia to report to the Government. Grubb's commission was to report

> what improvements might reasonably be made -
>
> (i) in the selection, training, conditions of employment, discipline and morale of prison officers and other staff engaged in training, correctional and rehabilitative programmes for prisoners;
>
> (ii) in the facilities, supervision, security and other procedures relating to the privacy and educational, social and recreational activities of prisoners;
>
> (iii) in relation to any matter incidental thereto.[54]

Grubb spent two periods of time in Hobart conducting the enquiry - 27 June till 2 July and 15 August till 28 August. During these periods he conferred with prison management, staff and inmates, interested parties and legal agencies. His conclusions, which covered a scant thirty pages, provided little that was not already known. He claimed that many of the prison management problems emanated from the physical structure of the building.[55] The "design and siting of the prison is disastrous".[56] Grubb proceeded to explain that since the prison's opening the Government of the day

> had been continually obliged to spend substantial sums ofmoney to overcome, as far as possible, the defects of the bad design.[57]

The difficulty with the prison is that it was not designed for Tasmanian climatic conditions. Apart from the sheltered workshops, administrative

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[54] ibid, Appendix A.

[55] ibid, p.2.

[56] ibid.

[57] ibid.

buildings and cells, all parts of the prison are open. As the former Controller of Prisons has noted,

> if the prison had been situated in Queensland, it would have been ideal.[58]

The retiring Director of Corrective Services was more adamant. He would have pulled it down and started from scratch.[59]

Turning his attention to the recruitment of prison officers, Grubb noted that the present prescription was "far too low".[60] The mandatory requirement for prison officer applicants was age - between 21 years and 45 years, physically fitness and no health problems, and Grade 6 educational qualifications. Grubb recommended that the standard of entry be upgraded to Grade 9.

> In my view, the minimum standard for all officers should be, at least, the successful completion of third year secondary schooling if the applicant has not successfully undertaken some other form of education or training or successfully followed some appropriate vocation.[61]

Prison management, however, successfully argued that this entry level (grade 6) was sufficient for the prison's purpose. They claimed that a significant amount of officers had the necessary educational standard required to provide "a sufficient pool to meet future promotional requirements".[62] In fact, it was not until 1986 that the educational

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[58]Hornibrook, op.cit.

[59]H J Howe, interview 6.11.87.

[60]Grubb Report, op.cit., p.7.

[61]ibid.

[62]ibid.

requirements were upgraded to grade 10. Even then, the TPOA fought this move but settled for the Grade 10 standard as the Secretary of the Law Department wanted the prescription to be Grade 12.[63] The ramifications of these minimal educational requirements for the New South Wales Department of Corrections have already been noted by Bullard.[64] He claimed the Department was enhancing mediocracy.[65] The ramifications for the Tasmanian Prison Service will be discussed later.

Grubb next investigated prison officer training and praised the Prison Management on their achievement in upgrading training and the establishing a Chief Prison Officer Training.[66] The recruit intake of October, 1975 was the first occasion that a body of recruits had any 'extensive' training prior to being posted to a function within the prison.[67] Grubb noted the Management plans for offering in-service and refresher courses and

> urge[d] that the government do everything in its power to encourage and facilitate these important aspects of training.[68]

Ironically, the promised changes never eventuated. The Chief Prison Officer Training is a normal shift boss who only acts as CPO training whenever a new officer school is recruited, and this is contingent upon

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[63]Interview with Law Department Secretary, 9.11.87.

[64]Bullard, op.cit.

[65]ibid.

[66]Grubb Report, op.cit., p.4.

[67]The author was a member of this recruit intake.

[68]Grubb Report, op.cit., p.4.

finance being available and staff retirement or resignation. It may be that because of the economic climate, and the relatively safe environment of the prison officers' work in Tasmania, that there is an extremely low turnover. At Risdon Prison, the average base-grade prison officer is aged 49 years, and has served 22 years 6 months.[69] Prison officer recruit training has changed very little since the author was a recruit (for training schedule, see Appendix A). It could be argued that inservice training is provided to these prison officers who are eligible to sit the Senior Prison Officer promotion examination but a glance at this schedule will note the similarities of both courses (for SPO training schedule, see Appendix B). The basic difference between both courses is that the SPO participants are given elementary instruction in working out prisoner remissions. This can be said to be surperfluous as they will probably never use this information in the course of their duties.

Grubb noted that sick leave presented a "considerable problem to management".[70] The literature on prison staff is replete with studies on officer sick leave (for example see Bowker, Bullard, and Thomas). Moreover, it should be noted that when Grubb was conducting his enquiry in 1976, the Risdon Prison did not have a minimum-manning level. If a rostered staff member was absent from duty, the remainder of the posted men filled in and managed the absentee's tasks. The only call-backs (overtime on rostered day-offs) for prison staff, until minimum manning

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[69]Survey conducted by the author.

[70]Grubb Report, op.cit., p.5.

was implemented in the early 1980s, were at institutions like the Royal Hobnrt Hospital when an inmate required hospitalisation. Since the minimum manning agreement was reached between the Law Department and the TPOA, call-backs have become rife. There is no incentive for a prison officer to appear for rostered duty. He knows if he calls in 'sick' that this position will be replaced by someone off duty. Grubb's trepidations have been echoed by at least one Parliamentary Enquiry and numerous internal investigations. Sick leave is more prevalent at present than during Grubb's enquiry (see Figure 10). Budgetary estimates for overtime of $350,000 failed to allow for the substantial increase in sick leave in 1985-86. The actual amount spent on overtime was $528,897 - nearly 55 percent more than envisaged.[71]

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[71]Law Department explanatory notes, op.cit., p.1827.

Figure 10: Sick Leave Taken by Prison Staff

	Staff Numbers	Amount of Sick Leave	Average
1982-1983	161*	2132**	13.24
1983-1984	158	2014	12.74
1984-1985	170***	2092	12.38
1985-1986	168	2423	14.42
1986-1987	163	2006****	12.30

* Includes female and farm officers
** All numbers in days
*** New recruit school had started
**** Figures arbitrary, because of 38 hour week, some officers have days and hours off-duty.

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The other major point covered by Grubb was the difficulty management experienced in providing for the inmate's basic right to safety in the prison.

Commenting on the need for protection of the youthful offender from the 'heavy' institutionalised recidivist, he noted that

> The problem stems from the impossibility of adequately segregating various groups, ages and classes of prisoners in this Prison.[73]

Because all classes, ages and types of inmates reside in Risdon Prison, they will mix, unless protected or hospitalised, with the other inmates at either work, education, or leisure. Grubb realised the difficulties in providing segregated Divisions but recommended one step to increase surveillance on inmates: and that was the posting of two officers in

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[72]Prison Records.

[73]Grubb Report, op.cit., p11.

each Division instead of the normal single manning.[74] This, of course, was never implemented because of the inescapable fact of staff shortage and lack of funding required to recruit the necessary personnel.

Grubb also recommended that the Women's Prison - situated on the property - be used as a separate male Remand Yard.[75] Risdon's design precludes the separation of remandees from the sentenced population, because of the proximity of the present Remand Yard (see Figure 3) to the Reception Area. As this section is in the main part of the Prison, remandees visiting it invariably meet sentenced inmates who are either working on the prison lawns, or moving about the institution.

By far his most cogent recommendation was the separation of the prison staff structure into three divisions "Custody, Occupation and Rehabilitation".[76] Additionally, he suggested that four separate prisons be established,

> each with its own Governor, but with a different salary classification graded downwards...[77]

These were HMP Risdon - as a maximum security institution; Hayes Prison Farm; Medium Security, for low rating classification inmates; and the Women's Prison.

Although nothing has been done on the creation of the separate divisional structure, some progress has been made, however, in relation

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[74] ibid, p.7.

[75] ibid, p.23.

[76] ibid, p.24.

[77] ibid.

to his other recommendations. Risdon Prison remains much the same as in Grubb's period of investigation. The Prison Farm had a Manager/Superintendent - who looked after both crop production and animal husbandry along with the custodial requirements for the farm's inmates. Strangely, his was a non-uniformed position heading a uniformed custodial staff. With the present incumbent's fast-approaching retirement, the Law Department has decided to separate the farm and custodial functions. A farm manager will be recruited to oversee and plan crop and animal production. The custodial requirements will be handled by the newly created Superintendent (uniformed) who will have a grading equivalent to Superintendent at Risdon.[78] The senior uniformed officer presently at Hayes Prison Farm is a CPO.

Maximum Security has been closed since the riot in 1980 and no plans are evident for its future reopening, although increasing inmate numbers at Risdon have forced the prison management to reconsider its use.[79] The decision to reopen must, however, come from the Government.

The female prison has been covertly upgraded in status. Although the interior has been subject to cosmetic change, the officer in charge - formerly the Matron - has been accorded Superintendent status. The former rank was equivalent to the male CPO. It is, however, a matter for conjecture, whether she would take charge at the male institution in the absence of the other prison management hierarchy.

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[78]Discussion with A/Director, 24.11.87.

[79]A report has been submitted to the Law Department.

The Liberal Opposition refused to take part in the enquiry claiming it to be "... inadequate and sterile".[80] They thought that it would be

> quite pointless to make any submissions or to have any discussions with Judge Grubb ...[81]

This, of course, upset the TPOA who accused the opposition of being "cynical .. and .. obstructive ...[82] It should be pointed out that there was very little love between the TPOA and the Liberal Party for three good reasons. After the mass escape from the Remand Yard in 1970 it was reported that the Attorney-General wanted to sack the on-duty staff.[83] The TPOA was infuriated, threatening to stage a mass strike if this order was carried out.[84] This threat had only subsided when the Attorney-General, worried about reported incidences of trafficking by prison staff, wrote to the Controller of Prisons enquiring into the feasibility of spot searches.[85] The Controller agreed and pointed out that the power of search had existed when prison officers were not part of the Public Service. He blamed the "failure to amend Regulation 76(B)" which now meant that prison officers could not be searched. He added his reservations about such a move, claiming the TPOA would object.[86]

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[80]Grubb Report, op.cit., Appendix P.

[81]ibid.

[82]TPOA information sheet formembers, August 1976.

[83]From conversation with CPO's who were base-grade staff during this period.

[84]TPOA information sheet, op.cit.

[85]Law Department file 9/1/1, dated 29.4.71.

[86]ibid, 13.5.71.

The TPOA, of course, fought the move. With a change of Government - back to Labor - the issue still remained.

The Secretary of the Tasmanian Public Service Association - of whom the TPOA were an affiliated body at that time - wrote to the Labor Attorney-General in November, 1977, about the proposed searching of officers and claiming that a legal interpretation of Statutory Rule (1977) No.211

> is not authorised by Prisons Act 1977 and is hence void and ineffective ...[87]

However, an interpretation by the Solicitor-General contradicted the TPSA claim,

> In my opinion, a Regulation which empowers a Superintendent to require a Prison Officer to be searched when on duty outside a prison or at any time within a prison, is a Regulation with respect to the conduct of prison officers.

He concluded:

> It might also be said to be a Regulation for the preservation of order.[88].

The issue has now been resolved in favour of prison management, but there has been no overt use of it reported up until the present.

By far the most serious disruption to relations between the TPOA and the Liberal Party occurred in July 1975. The Opposition's Shadow Minister for Law accused the prison officers of negligence in performance of their duties.[89] A number of escapes, highly sensationalised by the

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[87] ibid, 3.11.77.

[88] ibid, file 27/125/77 dated 24.11.77.

[89] The Mercury (Hobart) 9.7.75.

media prompted this action. In order to defend themselves, the TPOA took the unprecedented move of paying for space in the local paper[90] (see open letter to the Shadow Minister for Law in Appendix C).

Promotion 4:1

The pattern, until recently, of recruiting officers with minimal educational qualifications will have a profound effect on the future of the management of Risdon Prison (see Entrance Examination, Appendix D). It was noted earlier that the average base-grade prison officer employed at Risdon is nearly 50 years old and has served, for approximately 23 years. Two problems arise from this. The first arises from the growing age gap between base-grade staff and inmates (see Figure 4) which is likely to increase the difficulty of control in the case of riot or other disturbance. The second lies in the promotion of staff through the ranks. When asked what attributes and skills a prison manager should have, the former Controller of Prisons was adamant that a good prison manager should have come "up through the ranks".[91] When questioned why, he replied that it was imperative that senior management be aware of the problems and difficulties faced at the grass roots level.[92] No amount of theory of managerial skills gleaned elsewhere could compensate for experience gained at the lowest levels.[93] In Risdon's case this presents a special problem.

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[90] ibid, 12.7.75. See appendix C.

[91] Hornibrook, op.cit.

[92] ibid.

[93] ibid.

Until the change from Departmental status to Divisional category, it was possible, in theory, for a base-grade officer to continue through the ranks and gain the position of Deputy Governor, or, as it became known in the late 1970s, the Deputy Superintendent. The Prison Officers' Award and classification covered from base-grade up to and including the Deputy Governor. The prerequisites for promotion were 5 years satisfactory service and the passing of a Senior Prison Officers' examination or experience deemed to be equivalent to the position applied for. In fact, most promotions to either SPO or CPO appeared to be on a seniority principle - those who gained the promotions having served a considerable amount of years (see figure 11). The one differing factor relating to the Deputy's position was the requirement of the

Figure 11: CPO & SPO Age and Length of Service

RANK	No.of positions	Length of Service	Years in position	AGE
		y m	y m	y m
CPO	9	26 . 10	9 . 3	55 . 6
SPO	17	18 . 3	N/A	48 . 11

* average figures only

** figures correct as at November, 1987.

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applicant to have the qualifications for entry into the old Third Division classification - normally grade 12 education. Of course, the

94Author's survey.

recruiting practices of previous years meant that whenever the Deputy's position became available in 1960, 1970 and on two occasions in 1980, none of the CPO's had the required educational qualifications.[95] This has led to 'outsiders' coming in to the system at senior management level. It also means that under the present requirements where the Deputy Chief Superintendent's position has been upgraded none of the present CPO incumbents have the necessary educational qualifications.[96]

> Changes in the Management Services of the Prison have been necessary as a result of the creation of a Director of Corrective Services. As a result, management skills and administrative knowledge of prison operations is most essential within the Deputy's position.[97]

Of major concern to the Risdon Management is the failure of suitably qualified base-grade staff to apply for promotion to SPO level. Prior to 1980, the promotion of SPOs was entirely in the hands of senior management. Positions were not advertised but direct appointments were made. Although there was provision under the Pubic Service Act for appeals to be made, no-one challenged the management's choice. However, partly as a result of growing staff discontent about selection, management advertised vacancies from 1980 onwards, thus opening up competition. When two positions fell vacant in 1984, 47 suitably qualified staff applied. In 1986 three positions became vacant and 27 applications were received. In 1987, one position became available and

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[95]Controllers comments on applicants, prison file 7/1/26 dated 7.4.81 and Prison file 7.1.18, dated 17.9.81.

[96]See Prison Files 7/1/26 and 7/1/18.

[97]Law Department file 7/1/18.

13 staff applied. Some reasons for staff failure to apply are "that the jobs are predetermined", "I'm not a bosses man", or, "my face doesn't fit".[98] Management is now perhaps in the paradoxical position of not giving the job to the best person available through his disinclindation to apply. This failure to attract suitably qualified applicants has also affected the promotion of SPOs to CPOs. Because of the paramilitary structure of staff at Risdon Prison, promotions have always been made from the next rank under - P/O to SPO, SPO to CPO. There has never been an occasion where a promotion has been over two levels, for example, P/O to CPO. Present serving SPOs are used as 'Assistant Chiefs' to gain experience in all aspects of the CPO position. Thus, whenever a CPO goes on leave, or is absent for some reason, an SPO comes up into an Acting CPO capacity - and is paid accordingly.

Of the present contingent of SPOs, only five (out of 16 - one position is currently advertised) will take an Acting position.[99] Reasons have been the 'drop' in expected salary. The SPO can make himself available for recall to duty on double pay, and can work in a base-grade position when required. CPOs on the other hand only work recalls in CPO positions, or above - if required. Thus, acting as a CPO can cost the SPO a substantial amount of pay over a determined period. Others have declined the acting position because of the nature of the job. Essentially their perspective may be presented as:

> why should we have all the problems to put up with in directing staff and inmates, and begging staff to come to work, when we have the pick of the posts in the prison and unlimited overtime, if we

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[98]Comments made to author by base-grade prison officers.

[99]From author's discussion with Deputy Chief Superintendent.

need it.[100]

Whenever a CPO position becomes available, management is faced with the problem of choosing from a limited number of candidates. As Bullard has noted,[101] they may in fact be enhancing mediocracy through picking the best of the applicants - irrespective of whether or not the choice will make a good CPO. Additionally, a glance at Figure 12 will note the average age of SPOs. Further scrutiny of the CPO column will show that most CPOs will have retired within five years ((all will go within ten years if the retiring age is dropped to 60). In the same period, the average age of SPOs will be equivalent to the present CPOs. This, in effect, means that middle-level management will be constantly changing over the remainder of this decade - and a good part of the next. The possibility of stability, with its attendant benefits for base-grade staff and inmates, will be negated by these continual movements. Furthermore, senior management strategies will depend greatly on a stable middle level management team.

Although there is a prescribed chain of command between senior and middle-level management staff, the decision-making processes have largely been made at senior level, with little involvement by the middle-level echelon. The pattern of senior and middle-level interaction during the former Prison Department era was largely on an informal basis. The then Superintendent came to the CPOs messroom on a Friday afternoon to discuss various internal matters and enquire if

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[100]Comments made to author by SPOs.

[101]Bullard, op.cit.

there were any problems.[102] After the advent of the Law Department, it was suggested that these links be formalised.[103] A committee was set up, comprising all the staff from CPO up to, and including, the Chief Superintendent. Times and meeting places were to be planned and held on a regular basis. Provision was made to attract off-duty CPOs by offering a financial inducement to attend. Meetings were to be held

> ... each fortnight and those officers who are off-duty shall be paid.[104]

Meetings began in the conference room of the new Administration Block outside the main prison and were essentially designed to facilitate only the functioning of the male prison neither the female Superintendent nor Farm Manager were required to attend, unless invited.[105] Initially, the meetings progressed fortnightly from the inaugural session in April 1985, and met 17 times up until the end of the year.[106] However, a change of leadership[107] resulted in the meetings being held on a sporadic basis - 15 in the next 14 months.[108] A certain disillusionment has grown among the Chiefs as comments have been made as to their effectiveness.[109] Some CPOs maintain that the meetings have

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[102]From discussions with the Principal Prison Officer.

[103]From conversation with A/Director of Corrective Service, 24.11.87.

[104]Minutes of CPO meeting.

[105]This practice has now ceased. Only Risdon Prison Staff attend.

[106]From minutes of CPO meetings.

[107]The new Chief Superintendent of Prisons was appointed.

[108]From minutes of CPO meetings.

[109]Author's discussions with CPO's.

become 'bitch sessions' and management tools to inform of impending changes.[110] Certainly the off-duty Chiefs have been reluctant to make an appearance although provision has been made to remunerate them. The former Director of Corrective Services thought such meetings were of little value.[111] He considered that the Chiefs were paid to do a particular job and by holding meetings, the Prison was being deprived of their services.[112] He was firmly against "management by committee".[113] The usefulness of these meetings has also been questioned at Law Department level.[114] Letters have been sent to each CPO to elicit comments regarding their structure and suggestions for improvement.[115] However, the recent secondment of an Acting Director of Corrective Services may promote meeting morale and direction.

It must, however, be questioned whether meetings in this format have any sort of validity. Unless, in the Risdon instance, there is a specific Government directive as to the prison's use, the meetings can deal only with prison routine. If the Government does have a particular direction it wishes to take, there could be problems in getting it accepted at this type of forum. First, the question of the CPOs capacity to understand the concept has to be resolved. Second, even if the concept

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[110] ibid.

[111] Howe, op.cit.

[112] ibid.

[113] ibid.

[114] See note for file, Law Department "CPO Meetings".

[115] From Chief Superintendent of Prisons.

is understood, there remains the problem of getting it accepted. As was mentioned by the former Controller of Prisons, any programme for inmate improvement has to overcome staff allegations of discrimination in favour of the inmate.[116] However, as Hawkins points out

> Management must reflect the majority of the public's perception, not prison staff's perception.[117]

It must also be remembered that all of the Risdon CPOs have a considerable amount of service (See Figure 12) and the majority of this service has been completed during the era of custodially oriented directives. The custodial attitude has been reflected by the former Director of Corrective Services who, in a newspaper interview claimed

> The Prison Service is a paramilitary organisation run on set regulations and orders and in a disciplinary manner for staff and inmates.[118]

Third, as the CPOs are in charge of the daily shifts, they are the medium through which the programme is relayed to both staff and inmates. The difficulty here is threefold, encompassing consistency, ability to communicate, and appraisal and reporting. One of the most telling factors against the present middle management is the complaint by base-grade staff of the lack of consistency by CPOs. Base-grade staff maintain that each Chief has his own approach to routine work,[119] a view also substantiated by the CPOs[120] This, of course, confuses staff

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[116]For example, Hornibrook, op.cit. and Grubb Report, op.cit., p.6.

[117]Hawkins, op.cit., p.14.

[118]Sunday Examiner, 28.7.85.

[119]From conversations with base-grade P/Os and author's own experience.

[120]Conversation with CPOs.

and the question always asked by on-coming staff is: "Who's the Chief?";[121] As noted earlier, the practice of hiring at the lower educational levels for one specific philosophical purpose, eg, custody, may mean that the middle-management staff have not got the ability to communicate ideas and make them understood. The problems of filtration of information in any organisation have been dealt with elsewhere, but the programme's success may very well be jeopardised at this very point. Again, very few of the CPOs have been taught the rudimentary aspects of appraisal methods. Most appear to make judgements based on 'their experience'. This failure combined with an inability - in most cases - to report in a detailed submission to higher management could leave the senior management in a state of false optimism - actual practice and reported practice may diverge widely. The reporting difficulty is compounded by the practice of verbal edicts and replies. Although there has been a move to formalise orders and routines on paper, the information flow is practically one-way - downward. Upward information is normally reported verbally unless a specific occurrence in the prison necessitates a written report.

Prison Officer Unions 4:2

Risdon Prison (and the Tasmanian Prison System) has two unions representing all levels of staff (both uniformed and non-uniformed). The majority of the uniformed staff, and an increasing number of non-uniformed staff working within the prison, are members of the Tasmanian Prison Officers' Association (TPOA). The other Union

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[121]The author also asked the question when coming on duty.

representing members is the Tasmanian Public Service Association (TPSA). Originally the TPOA was an associated organisation under the umbrella of the parent group which, apart from representing the majority of other employees working in the State Public Service, offered advice to the minor association. The nature of the TPOA was, literally, as an 'in-house' union representing members on a day-to-day basis in interaction with management. For major claims by the TPOA such as industrial conditions or pay claims, the TPSA provided the expertise necessary to facilitate such claims and sent counsel to represent the TPOA at industrial tribunals and hearings.

Upon entering the service during the 1970s, the recruit was offered membership in both the TPOA and the TPSA. He could refuse either membership, or join the TPSA (the general public service union) independently of the TPOA (the Prison Officers' Union). However, if he joined the TPOA and not the parent body as well, the TPOA had to pay his dues to the TPSA. This created some animosity between the TPOA officials and those of the TPSA.

As a result of a large recruitment during the latter part of the 1970s (at least 60 base-grade staff) interest in union matters began to grow. The same phenomenon has been noted in the English System by Thomas.[122] There followed unprecedented questioning of the motives of the old established union hierarchy. During this period, the management of the union changed hands several times, inspired perhaps by a 'new breed' of officer coming from private enterprise where strong unionism existed and

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[122]Thomas in King & Morgan, op.cit., p.146.

working conditions were carefully negotiated. The new officer was appalled to find the apathy of the 'old guard' who were thankful, literally, of gainful employment.

The changing union management structure and an unwillingness by the TPSA to become involved in many prison matters (for which the TPOA had been set up) led to a breakaway by the TPOA from the TPSA.[123] Not all of the uniformed staff split from the TPSA; some continued membership in both organisations while several resigned from the TPOA. Prison management became unwilling pawns in the succeeding industrial strife. The Management was approached by the TPOA demanding a 'closed shop'. When Management pointed out that it could not force anybody to become a member of any union organisation, the TPOA imposed overtime bans by its members.

As, by this time, the great majority of uniformed staff were TPOA members, and the Prison Management depended on overtime to staff and run the prison, it appeared that the TPOA tactic might succeed, not in accomplishing a 'closed shop' but in closing the prison - or at least shutting down some of the operations. Fortunately for management, during this period of overtime bans, sick leave dropped and a concerted deployment of TPSA members kept the prison functioning as normal. This was in no small measure due to some staff, who worked double shifts on rostered days and callbacks on off duty days. The TPOA called off its overtime bans after ten days.

Since this initial action by the TPOA, relations between them and the prison management have scarcely been harmonious. Several stopwork

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[123]This was accomplished by getting union members to sign a resignation notice to the TPSA and authorising the paymaster to

> ... we the members of the Tasmanian Prison Officers' Association disassociate ourselves completely from all action taken by [the] Chief Superintendent ... and further have no confidence in his ability to handle any future crisis situation within the Tasmanian Prison System.[126]

In a further move to undermine the managerial prerogative, the TPOA demanded that the Deputy Chief Superintendent be barred from sitting on selection panels for recruitment or promotion. A recommendation from a stopwork meeting in part read,

> ... should [the Deputy Chief Superintendent] be retained on this Committee, industrial action will be instigated by all members of this Association.[127]

Considering their action further, the TPOA decided to declare overtime bans,

> That the Secretary of this Association be authorised to contact the Law Department in writting (sic) that if [the Deputy Chief Superintendent] sits on the Board, overtime bans to take affect (sic) as from 2pm Thursday ...[128]

The Executive, however, was unsure of the compliance of members as it followed this by recommending

> That in the event of a member breaching the Union's directive, an immediate eight hour strike be implemented.[129]

A subsequent notice was posted informing members that

> ... a compromise was [reached] that [the Deputy Chief Superintendent] remain on the Committee and a member representing the lower ranks (actually the Union Secretary - a Senior Prison Officer) be placed on the Interviewing Panel.

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[126]TPOA Notice of Motion, issued 11.10.87.

[127]TPOA Information Sheet dated 14.11.87

[128]ibid.

[129]ibid.

The Law Department acquiesced to this demand and the Union sat in on the interviews. It is suggested that, as a result of this decision, any future Senior Prison Management policy that is not to the TPOA's liking will be subject to the threat of industrial action. It may be that to preserve industrial harmony, the Law Department is willing to relegate the role of Prison Management to an intermediary role - a role increasingly recognised by all participants in the system as being powerless.

The Management of overcrowding and violent inmates 4:3

If need be, Risdon Prison could accommodate 354 inmates all in single cell accommodation. If overcrowding became an issue, the presently closed Medium Security Division holding 36 self-contained cells could be reopened. Risdon Prison has been fortunate that its capacity has never been stretched to the limit. It appeared that the high point of imprisonment had been reached in the late 1970s (see Figure 12) and that numbers would steadily fall, as a result of increased judicial use of alternative sentences such as work orders and probation.

Figure 12: Daily Average* Prison numbers 1976-1981

	Risdon	Female	Farm	Total	Highest at any one period	Lowest at any one period
30.6.76	247.15	3.49	60.09	308.73	365	279
30.6.77	201.03	3.73	49.36	263.12	301	218
30.6.78	202.32	5.62	33.43	241.38	269	221
30.6.79	258.92	3.46	43.44	305.82	343	268
30.6.80	231.28	5.18	43.36	279.82	309	256
30.6.81	203.05	5.25	40.59	248.87	269	225

130

Numbers were certainly greater at the beginning of the decade with a DAP* of 359.09 in 1970, 385.85 in 1971, and 373 in 1972.[131] Remarkably, however, numbers have again increased in the mid 1980s (see Figure 7). While no attempt is made in this thesis to explain the increase in numbers at present, one increase in late 1982 put unprecedented pressure on the system at Risdon Prison.

During this period a large number of Franklin Dam protesters refused bail conditions[132] and were remanded in Risdon Prison. Daily average prison numbers at mid December were approximately 260[133] but after the

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[130]From Controller of Prisons Reports to Parliament, 1977 - 82.

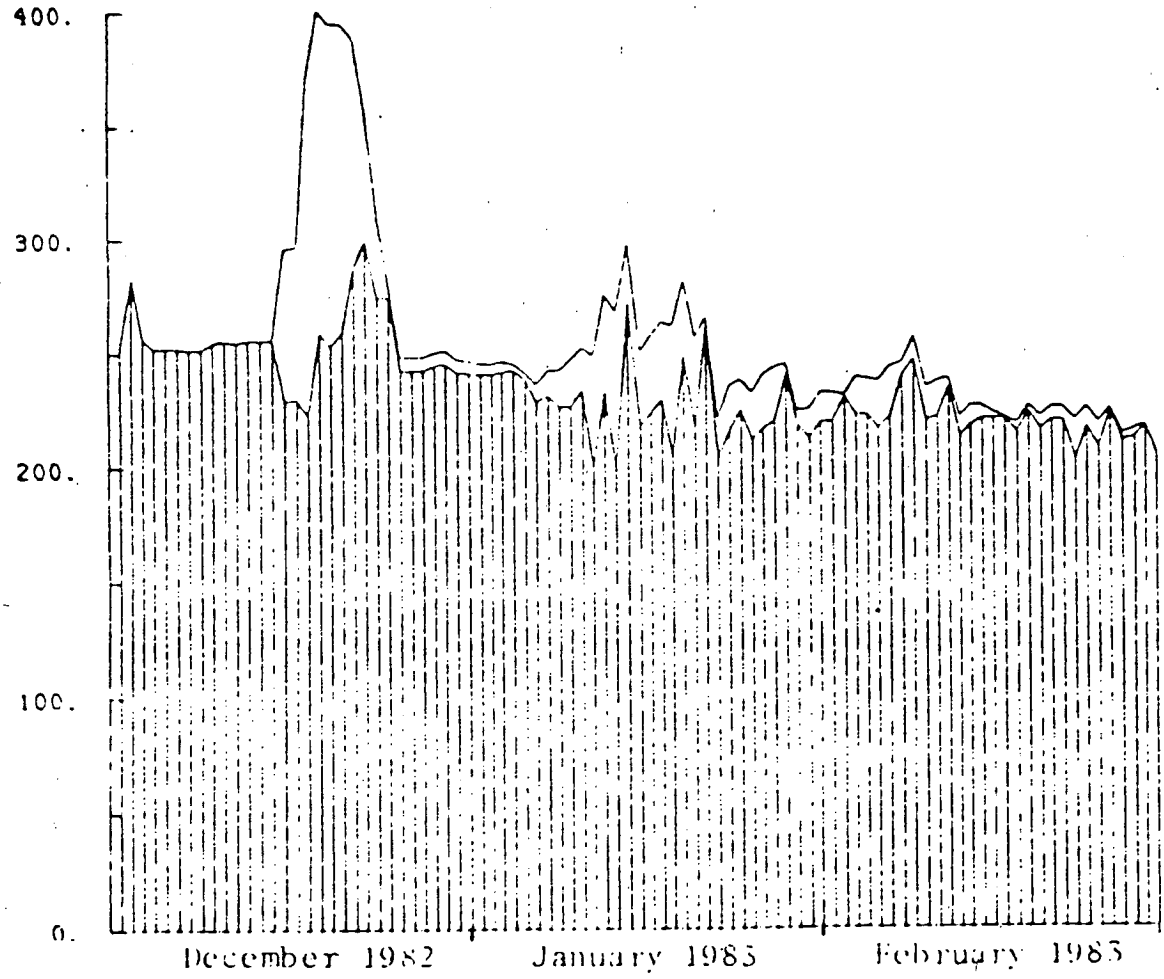
[131]ibid, 1971-73.

[132]For a full account see Biles, D, Howe, J, "Tasmania and the 'Greenies': Research Note on Prison Crowding", ANZ.J.Crim., 17, 1984, pp.41-48.

[133]ibid, p.42.

refusal of the 'greenies' to accept bail, numbers rapidly grew to 400 (see Figure 13).

Figure 13: *Tasmanian Prisoners, 1 December 1982 to 1 March 1983. Daily Totals ("Greenies" shown separately)*



134

134 ibid

Although prison management had been forewarned that this civil disobedience would take place, the magnitude of the number of remandees presented immediate problems of shortage of bedding (supplies had been run down when the numbers fell below 250), increase in remandee visiting (the visiting box had only six cubicles) and general demands to the authorities to claim 'full rights' due to the unsentenced inmate.

Although in theory the Prison should have coped easily, the realities were quite different. Requests to see, for example, the Deputy Superintendent went up by 800 percent. Movement about the prison was constant during unlock hours. An added problem was that the 'greenies' were contained separately from the sentenced inmates, but were housed in A and B Divisions (see Figure 3) which meant that they passed the other Divisions on their way to visits, meals and reception or interview rooms. Although there was little animosity between the 'greenies' and the sentenced inmates initially, the Management's granting of special vegetarian diets to 'greenies' combined with a 'superior' deportment and intellect amongst the group, soon began to erode inmate patience. In retrospect, it was to the prison's advantage that most of the 'greenies' only 'served' their week remand and then departed for other causes.[135]

As Biles and Howe have noted, it was probably fortunate that the Risdon Prison was underutilised when the environmental protest began. The

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[135]Most, upon release, flew to Queensland to protest there.

Prison Management and staff coped well under these peculiar conditions, but in a different environment, such as Pentridge or Long Bay, the participants might not have enjoyed the same rapport. Comments from the 'greenies' underline the prison's deficiencies for coping with an extremely large intake (see Figure 14).

Figure 14: 'Greenie' comments on Risdon Prison 1982-83

Positive

* special arrangements were made for access to legal advice
* there was a good rapport with prison officers
* there was a good response by authority to individual problems
* general acceptance by other prisoners of the new arrivals and the problems caused by them
* good response to the request for vegetarian food
* eventual tolerance of problems caused by the group solidarity of inmates.

Negative

* initial inability by some officers to deal with inmates as a group
* inadequate facilities for visitors
* inadequate recreational facilities and equipment
* some petty bureaucratic attitude to obtaining of newspapers, reading material and personal items
* initial unpreparedness for arrivals and physical requirement of arrivals
* inadequate briefing of arrivals on prison requirements and over-zealousness enforcement of them in some cases. This in part was the cause of the detention of some of the detainees

Structural problems

* high turnover and shortness of stay
* lack of facilities to deal with administrative demands such as deputy's requests etc
* clothing. Three were two schools of thought relating to the wearing of clothing. One group changed into prison clothing to show a sense of identity with regular prisoners. The other wished to retain their own clothing to maintain group identity. The regular prison population seemed to prefer the retention of individual clothing as it "added to the variety of the place"
* as one would expect, older detainees seemed to cope better with the adjustment to prison conditions than did younger ones.[136]

The management of any large group of men is always a demanding task in the prison situation. The real difficulties begin when a dangerous

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[136]Biles & Howe, op.cit., p.47.

psychopath is imprisoned. There is a tendency in the English Prison System to 'disperse' dangerous and potentially dangerous inmates. It is felt that by spreading them into special sections within several prisons rather than holding all known dangerous inmates in one special purpose institution is a more desirable management tool. In Scotland, for example, special units have been set up to deal with this type of inmate.[137] The Australian experience has been to build "electronic zoos"[138] at Katingal in New South Wales and Jika-Jika (or H Division) in Pentridge Prison, Victoria. Both are presently closed: Katingal after the New South Wales Royal Commission into Prisons,[139] and Jika-Jika after 5 inmates suffocated to death after a deliberately lit fire.[140] It has been noted by both Coyle and Hawkins,[141] that only a small percentage of inmates cause managerial problems. The method of dealing with these is determined by the facilities available to the prison management.

At Risdon Prison, the traditional maximum security within maximum security has been the isolation wing known as N Division (see Figure 3). Until the late 1970s the Risdon Prison Management also had available a four cell block known as S Division, where those who remained recalcitrant in N Division could be sent to solitary and have bread and

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[137]See Coyle, op.cit., pp.200-220.

[138]Hornibrook, op.cit.

[139]Stein, P, "The New South Wales Royal Commission into Prisons", in Encel, S, Wilenski, P, & Schaffer, (eds) Decisions, Melbourne: 1980, Longman Cheshire.

[140]See, for example, The Mercury (Hobart) 3.11.87.

[141]Coyle, A G, "The Management of Dangerous and Difficult Prisoners", The Harvard Journal of Criminal Justice, May, 1987, Hawkins, op.cit., p.16.

water rations imposed upon them. This Division was closed prior to 1980. The original N Division had seven cells, two of which were the Death cells. Although inmates sentenced to execution were housed there, all the condemned men were reprieved and sentenced to life imprisonment. Officers' sleeping quarters on top of N Division were converted to add an additional seven cells in the late 1960s while a further 20 cells were opened in 1982.

Inmates are normally sent to N Division if they have been found guilty of a prison offence which warrants segregation. In recent times, however, the Division has been used for protection of inmates - who have either committed an offence marking inmate retribution or are too young to be sent among the general population. The Division has two sections, old and new, to cater for punishment with and without privileges. Thus, inmates now have an ultra maximum security section within the segregated Division.

The management and staffing of N Division has been the subject of bitter debate between Senior Prison Management and the TPOA.[142] Over a decade ago Judge Grubb recommended that

> In view of the peculiar difficulties surrounding this Division ... it [should] be staffed by a permanent staff of one Chief Prison Officer and six specially selected Prison Officers who should not be called upon to man other than this Division. All these Officers should be men strong in discipline.[143]

The staffing has consisted of an SPO and the required number of men necessary to maintain three eight-hour shifts seven days per week. The

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[142]In a letter to the A/Controller of Prisons, 23.8.83, the TPOA notified him that a resolution had been passed that N Division manning be on a rotating roster.

[143]Grubb Report, op.cit., p.25.

officers posted to the Division have normally remained there on a semi-permanent basis. At the time of the Union split - TPOA from TPSA - the permanent staff rostered in N Division were all members of the minority union - the TPSA. The TPOA negotiated with the Law Department to replace the TPSA members in the Division claiming that the practice of permanent rostering was unfair to the rest of the staff. The TPOA maintained that every officer should be able to do all posts within the prison.

The constant rostering (although the SPO is posted for six months at a time) combined with running two sections - one for punishment and one with privileges - has made the Division hard to manage. Until recently those on privileges gained tobacco rations. This gave rise to constant trafficking within the Division between privileged and punished. However, as a result of inmates setting fire to their bedding this privilege has been discontinued. Prisoners can only be moved individually and two officers must be present when movements are made. Exercise for those in the Division is limited to one half hour period daily - or more depending on inmate numbers - in a wire cage which is roughly 240 cms x 180 cms. Inmates entering or leaving the Division are subject to a strip-search to prevent passage of contraband.

While most inmates accept their banishment to N Division, there are those who create problems. Where an inmate is classified by the Courts as Not Guilty by reason of insanity, he is housed in the Prison Hospital under the Mental Health Act.[144] The Hospital also has a punishment

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[144]For a full account of the Prison Hospital, see Paterson, W C, Custody V Care: The Risdon Experience, unpublished Honours Thesis, University of Tasmania, 1986.

section. If, however, the inmate has psychotic tendencies and is sentenced to a term of imprisonment, this option is unavailable, unless he is physically ill. If he creates a problem for management in the general prison population the final option is to segregate him in either of the N Division wings. Recently one interstate inmate has disrupted the functioning of N Division by wrecking his cell and destroying the exercise cage. After discussions at Prison Management, Law Department and Ministerial level, it has been decided to transfer him to his home state under the provisions of the Interstate Transfers Act.[145]

The Prison Hospital 4:4

As well as directing prison staff, the Chief Superintendent has under his control the uniformed nursing staff. These consist of a Nursing Officer in Charge (NOIC) who is responsible

> Through the Medical Officer to the Chief Superintendent for the efficient organisation ... of the Prison Hospital ...,[146]

and six other nursing staff, both general and psychiatric. The difficulties of managing this complex are compounded by the rostering of a semi-permanent prison staff headed by a permanent SPO. Management has given equal weighting to the NOIC and SPO, thus authority in the hospital is subject to whoever takes what position - medical or custodial (see Figure 15). This of course confounds the inmates who receive 'orders' from both streams. Difficulties are exacerbated by the

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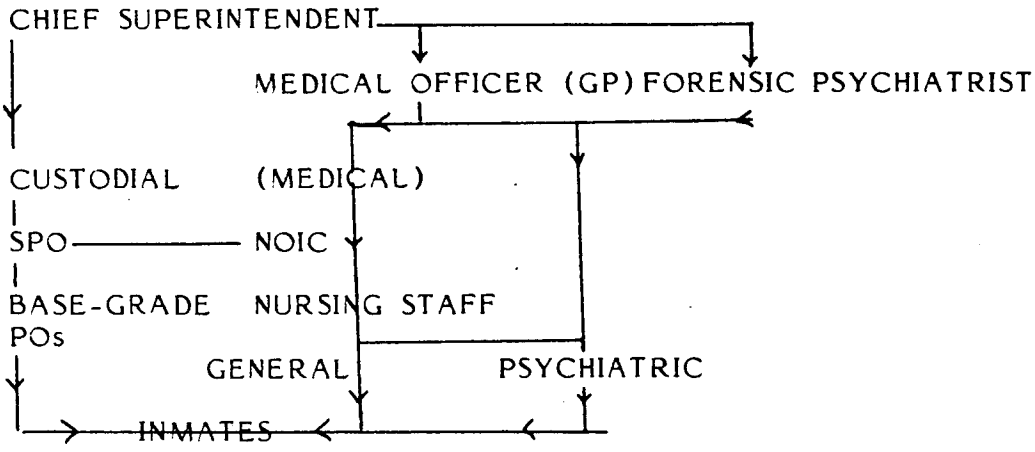
[145]Statement to the press - radio and The Mercury, ABC-TV, 25 - 30 November, 1987.

[146]Law Department Standing Orders, op.cit., H.2(1).

housing of "patients" under the Mental Health Act. Who gives directions to those who are not sentenced inmates - nursing staff or prison staff? Again, the combining within the prison hospital of both sentenced and Mental Health patients - without separation - has given rise to problems caused by the custodial staff's unfamiliarity with techniques designed to manage the unstable. Additionally, in most cases, because of the patient's mentality and propensity to violent tendencies, there have been clashes between both sets of inmates. The Prison Hospital has been subject to numerous enquiries,[147] and measures to increase its usefulness are currently under investigation.[148]

Figure 15: Formal Flow of Authority, Prison Hospital



The foregone discussion has given a brief history of Risdon Prison and a summary of the prison's functioning. Several important elements in the prison's management have been noted and the combination of these make up the tasks that Prison Management have to deal with on a daily basis.

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[147]See Paterson, op.cit.

[148]Another Committee has been set up to investigate the role of the Prison Hospital and its facilities for psychiatric treatment.

Chapter V will deal specifically with Senior Prison Managers and their role within Risdon. Because of their positions and authority, decisions taken affect not only Risdon, but the Prison System in Tasmania per se. Using the principles of administrative management, a detailed study of current prison management practice will be attempted.

CHAPTER V

EVALUATION OF RISDON PRISON MANAGEMENT

Although Archembeault and Archembeault maintained that the prison could only be investigated from an open system perspective and applied their adaptation of managerial principles accordingly, it has been argued in Chapter I that a closed systems approach is more appropriate to prison systems generally, and Risdon Prison in particular. The following evaluation was Archembeault and Archembeault's schema to analyse contemporary prison management at Risdon Prison.

Staff Allocation 5:1

Any discussion on organisations generally must consider the allocation of labour to the task desired. There is always a component of work that is unskilled, for example, unpacking, storing and distribution of goods, and general cleaning. It is a basic managerial exercise to allocate these tasks to the unskilled employee - whose salary is commensurate with his skills. If the employee wishes to progress through the organisation he must gain some further skills through either in-service training, or courses designed to meet the needs required. The stable functioning of any large organisation correlates with the necessary skills and attributes its employees possess. An organisation which fails to adapt to a changing environment and technological innovation must surely suffer as a consequence - either in the market place, if a private concern, or by assimilation into another agency if a government enterprise. Yet, the prison organisation's method of division of labour is arbitrary and capricious. It appears to be based on an assumption that all prison officers have equal skills and attributes, and that they can manage all tasks within the prison. This is not only a fallacious

assumption but is based on a practice that no longer exists - the segregate or congregate systems where inmate silence and unquestioning obedience to authority were the norm.

At Risdon Prison, the decision by the Law Department to allow a rotating roster in the punishment and segregation N Division has not been enforced elsewhere. There are 80 rostered posts in Risdon Prison (see Figure 1) but many have attained a degree of permanency. There are Senior Prison Officers in permanent positions at the Court, Reception area, and the Hospital.[1] The Senior Prison Officer in charge of N Division is based there for a six month period. Base-grade staff are permanently rostered in the Reception area,[2] and others are to be found in the Kitchen, Laundry, Education section, Main Gate area, Hospital and Female Division.[3] Officers can also change from rostered duties by submitting a 'change of shift' form which has to be approved by both Deputy Chief Superintendent and Principal Prison Officer. Whilst in theory they have the power of veto, the practice has been to approve most, if not all, of the applications. Some officers may use the change of shift forms to keep away from confrontational posts, eg, the Prisons Divisions, whilst others may change for a different time slot, eg, 6am - 2pm, to 2pm - 10pm. Although the principle of a rotating roster for all prison staff has been a TPOA objective, the reality is quite different.

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[1] Management considers these are 'specialist' positions.

[2] They, however, work recalls on days off duty.

[3] The 'Female Prison' Officers man the entrance gate, and are normally officers who are reaching retirement age, or are recovering from injury. The Female Prison has its own female custodial staff.

Figure 1: Rostered Posts and Hours of Duty at HMP Risdon

POST	6-2	2-10	10-6	9.30 to 5.30	8.30 to 4.30	8-4	9-5	7-3	Day Workers
A Division	1		1	1					
Main Gate 2	1	1	1						
B Division	1	1							
East Tower	1	1	1						
C Division	1			1					
West Tower	1	1	1						
D Division	1	1	1						
Division Front	1	1							
E Division	1			1					
Kitchen/Bake	1	1							
F Division	1	1							
H Division	1	1	1						
N Division No.1						1			
Hospital C/C	1	1	1						
Spares	2	2				1			
Female Gate	1	1	1						
Main Gate 1	1	1	1						
Reception							1		2
Reception						2			
Security								1	
Court Escort									2
Escort Reliefs									2
Medic Parades						1		1	
Kitchen	1			1	1				
Laundry									1
Games									2
Main Gate 3									1
Cross Gates	1	1							
Hos.Gen.Duties							2	2	
Reliefs							1		
Workshop Fr.	1	1							
Workshop Ga.	1	1							
N Division		1	1						
Education						1			
TOTAL (80 POSTS)	22	18	10	4	1	6	4	4	11

As a management tool in the 1980s, the rotating roster in the prison is an anachronism. It means that management cannot deploy the staff to suit particular environments. Apart from approving the proposed roster, management, in effect, have little say in the posting of officers. The allocation of posts is the domain of the rostering officer. There is no mention of a rostering officer in the Corrective Services Division Prison Standing Orders. Provision was made, however, under the old Prison Department Standing Orders for the Principal Prison Officer to provide rosters at least four weeks in advance. The duties were passed to a Chief Prison Officer in 1975 after the retirement of the then Principal.[4] In 1980, a change of Superintendent saw the roster duties pass to a Senior Prison Officer.[5] Up to 1986 the roster was based on an eight hour shift and 40 hour week. The granting of a 38 hour week to prison officers in 1987 necessitated the development of a new roster and formulae to accommodate the change in hours. On their completion, the roster duties passed to a base-grade prison officer.[6]

Management have made several attempts to implement some form of Unit Management but this has been vigorously opposed by the TPOA.[7] The concept of Unit Management has been adapted for prisons by utilising the

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[4]It was felt the duties of making up the Roster would be too difficult for the new appointee.

[5]Personality clashes and entrenched power were thought to be among the reasons for the change. By virtue of the position the Rostering Officer, at that time, was extremely powerful. He could place base-grade staff anywhere in the prison he wished.

[6]Since promoted to SPO.

[7]Interview with TPOA Secretary, Dec. 1987.

semi-autonomous workgroup methods successfully applied in the motor vehicle industry.[8] The practice - known in Canada as 'The Living Unit System' - has several essential elements,

> All principles of the system are founded on the proper delegation of authority. Members of the team have the authority to make decisions and recommendations in well-defined areas. Team work is an integral part of the system. In addition to each member working closely as part of a team, each team must liaise with other departments, particularly the Security Department. Regular unit meetings are held. The process is subject to continuous planning and evaluation, both within the unit itself, within the context of the whole institution and within the context of the goals and direction formulated nationally.[9]

The concept was successfully introduced by the Bureau of Prisons in America in the early 1970s,[10] and by the Federal Canadian System in the late 1970s.[11] It has also been tried in Scotland at Cornton Vale, a female prison, and judged to be unsuccessful on the grounds that it was uneconomic.[12] Coyle, however, claims that the system is "..considered to be both efficient and economic".[13]

Among his recommendations in 1976, Grubb alluded to the unit management concept. Agreeing with the difficulties created by housing all types, ages, and classes within a single institution, Grubb suggested a "House

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[8]For a description of the concept see Wild, R, "Mass Production Work", Journal of General Management, 1976, pp.30-40.

[9]Coyle, A G, Comparative Examination of the Prison Services in North America, Winston Churchill Memorial Fellowship, 1984, p.8.

[10]Allen & Simonsen, op.cit., p.447.

[11]Coyle, (1984), op.cit., p.7.

[12]ibid.

[13]ibid, p.11.

System"[14] where an SPO would take charge of a particular Division with responsibilities of "Morale, Discipline, Security, Cleanliness and Comfort".[15] Inmates would be classified to particular Divisions where a permanent prison staff would be deployed.[16] The rationale behind Grubb's proposal was that a feeling of 'trust' could be developed between staff and inmates. This trust would issue in increased safety for both groups, less tension in the prison, and on-the-spot decision making instead of the 'faceless' orders passed down from above.[17]

Although Grubb's recommendation was not implemented during the Prison Department era - probably because of the economic factor[18] - it was anticipated that the Law Department's statement heralding the Corrective Services Divsiion would initiate change.[19] However, the Unit Management idea was quashed by the Law Department ruling on the N Division dispute (see previous Chapter).[20]

Management, however, has also been under pressure to implement permanent staffing arrangements in the Prison Hospital. The forensic psychiatrist in charge of inmate treatment considers it essential that properly

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[14]Grubb Report, op.cit., p.25.

[15]ibid.

[16]ibid.

[17]ibid, particularly pp.25-28.

[18]Grubb had recommended two officers be posted in Divisions at all times.

[19]Law Department, CSD Staff newsletters, op.cit.

[20]The issue is again being considered by present senior management.

trained staff be allocated on a long-term basis.[21] It is unrealistic to believe that all prison officers have equal ability. The custodial aspect of the job may be accented by training but some officers list this as the least of their functions.[22] Other officers relish the 'conflict' situation, and some are simply happy 'to get through the shift'. Upgraded educational pre-requisites for prison officer recruits may facilitate change, but there is little indication of such a move at Risdon Prison where the issue is also clouded by the politicking of the TPOA and the Law Department.

Two recent Law Department decisions cemented the custodial direction of Risdon Prison. The first of these, the inclusion of a member of the TPOA executive on the panel for prison officer recruits, may be a covert admission by Head Office that Senior Management have not the capacity to select. Although it was claimed that this was a unique provision instituted only to prevent industrial action,[23] it is suggested that the Union will pursue this course each time promotions or recruit schools are advertised. The TPOA has fought to safeguard the dichotomy of 'them and us'. Managerial acts aimed at granting inmate concessions are construed as a further denigration of prison officer control.[24] Representation on the selection panel gives the Union an opportunity to present its image of the preferred, that is, custodial, prison officer.

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[21]See Paterson, op.cit., for a full description.

[22]Peretti & Hooker, op.cit., p.193.

[23]Discussions with Deputy Chief Superintendent 28.11.87.

[24]See comments by Hornibrook, op.cit., and Thomas, in King and Morgan, op.cit.

The second and more remarkable decision was to transfer promotional interviews for SPOs from a panel of senior managers to a committee of CPOs, that is to middle management.[25] The inspiration for this change came from an unprecedented appeal in 1986 against three SPO promotions recommended by an interviewing committee comprising Chief Superintendent, Deputy Chief Superintendent and a CPO.[26] Recommendations from this body had never been challenged - although provision was available to unsuccessful applicants to appeal under the Public Service Act.[27] It is suggested that this decision has reinforced the custodial emphasis of Risdon Prison and makes long term change extremely difficult.

The Committee of CPOs between them has accumulated (at the time of interviews) 110 years and three months service - an average of 27.75 years. They have been CPOs for an average of 12 years eight months, with one participant being appointed to the CPO position in 1961. Two members of the Committee served at the old prison at Campbell Street which closed in 1960.[28] All have served the greater part of their prison career within the custodial philosophy. None of them had the

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[25]The Committee consisted of four Chiefs. The Training Officer - a CPO was excluded, and one member was also the President of the TPOA.

[26]Nine officers originally filed appeal notices although five later dropped them.

[27]Later provision under the new state services legislation saw the appeal function in the hands of a Commission specifically set up for that purpose.

[28]Statistics from author's survey of prison service records.

prerequisites to be considered for Deputy Governor,[29] nor have they had any formal tuition in interviewing techniques, performance appraisal, or recommendation report writing.

The combination of Law Department decisions, Union power ploys of the Union hierarchy and TPOA membership apathy,[30] serves to maintain the existing emphasis on custodial practices. Senior Management are presently caught between a Law Department philosophically committed to change, and TPOA intransigence and commitment to the maintenance of custodial tradition.

An Imperfect Chain of Command 5:2

Although the former Director of Corretive Services claimed that Risdon Prison was a paramilitary organisation with rules and regulations covering staff and inmates,[31] the prison size and staff numbers make this proposition questionable. The paramilitary structure emphasises a rank hierarchy with orders being issued from above and passed through each level. Requests for direction should travel upwards to the next superior, but as Risdon Prison is so small, the formal authority hierarchy is normally bypassed. Senior Management inspect the prison daily and the opportunities for base-grade staff to approach them are

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[29] See Prison file 7/1/26 comments by Controller dated 7.4.81, and Prison file 7/1/18 comments dated 17.9.81.

[30] Most of the membership individually do not like the direction the Union is taking, but collectively give tacit support. Author's conversations with individual prison offices and observations of groups of officers discussing union politics in the Mess Room.

[31] Sunday Examiner, 28.7.85.

unrestricted. In theory, if a base-grade officer wishes to seek an appointment with any of the Senior Officers, his first move is to the CPO in charge of the shift. The CPO in turn makes an appointment with the specific officer and arranges to have the base-grade officer relieved.

If this practice is adhered to, two ranks are immediately by-passed - the SPO and the PPO. The SPO position has long been looked upon as a 'glorified' base-grade officer.[32] Base-grade staff work directly under the supervision of the relevant duty CPO.[33] SPOs do not direct subordinates except when assuming the duties of CPO.[34] The PPO is assumed to have "direct control over the Chief Prison Officers ...",[35] yet it clearly states in the Prison Standing Orders that if a prison officer has grounds of complaint about any directive given to him by a superior officer, he may appeal

(a) first to the Deputy Superintendent
(b) then to the Superintendent
(c) then to the Chief Superintendent
(d) then to the Director, and
(e) lastly to the Secretary.[36]

Conversely, directives issued from above sometimes by-pass the formal chain of command. The Chief Superintendent or Deputy Chief

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[32]From author's practical experience and discussions with senior and middle level managers. Likewise SPOs and base-grade staff have a similar perception of the SPO role.

[33]ibid.

[34]Either as Acting CPO or as Chief's Assistant.

[35]Law Department, CSD Standing Order, p.1.

[36]ibid, CSD Standing Order OD9.

Superintendent may issue instructions to SPOs instead of dealing with the direct subordinate. It is not uncommon for change to be implemented without the knowledge of the duty CPO.[37]

Implicit in the position of Senior Management is the notion of legitimised authority and the power that goes with it. In his Functions of the Executive, Barnard distinguished between the authority of position and that of leadership.[38] As Sofer comments

> This points to the fact that the success of the influence attempt (willingness to obey) depends in part on superior ability, irrespective of decision.[39]

This in turn leads to the notion of expertise. In a typology of power, French and Raven postulated five different categories: reward, coercive, legitimate, referent and expert.[40] These separate categories can be used by management to effect their orders.

Reward Power

This is an ineffective mechanism in the prison setting as the primary reward is financial and this is controlled by the employing agency. As a public servant the prison officer in Tasmania has security of tenure and can only be dismissed, for example, if he commits a criminal act. Reward power may also be effected in the allocation of promotions, but

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[37]From observation and conversations with various CPOs.

[38]Barnard, C I, The Functions of the Executive, Cambridge, Mass: 1938 Harvard University Press.

[39]Sofer, C, Organisations in Theory and Practice, London: 1972, p.272.

[40]French, R P, & Raven, B H, "The Bases of Social Power", in Studies in Social Power, Cartwright, D, (ed) Ann Arbor: 1959, Uni. of Michigan Press, pp.150-167.

it is claimed that this power is only useful if the promotion is valued by the officer.[41] In Risdon Prison this does not seem to be the case.[42]

Coercive Power

This power has little validity in Risdon Prison (See 5.10). Coercive power can manifest itself as physical force, a tongue lashing, or dismissal.[43] In this situation, Reitz maintains that the power is only useful if the officer accepts the management's admonitions.[44] However, when the officer stands his ground and management cannot dismiss him, then management loses much or all of its coercive power over the officer.

Legitimate Power

Legitimate power is authoritative "when the people consider they must or ought to obey it".[45] As Reitz points out, the manager has legitimate power over the officer when he

> possesses attributes or resources which cause [the officer] to perceive that the [manager] has the right to influence him, and [the officer] has the obligation to obey.[46]

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[41]Reitz, H J, Behaviour in Organisations, Homeweed: 1977, Irwin Dorsey, p.465.

[42]Refer to previous Chapter, Section on Promotion.

[43]Reitz, op.cit., p.466.

[44]ibid.

[45]Adams, R V, Energy and Structure, Austin: 1975, Uni. of Texas, p.30.

[46]Reitz, op.cit., p.467.

One of the problems with legitimate power is the confusion or disagreement about the range and scope of that power. The parties involved may agree that one has legitimate power over the other but will disagree as to the specific behaviours the managers can rightfully order the officer to perform.[47] At Risdon Prison, the prison officer is caught between the crossfire of managerial command and Union edict.

Referent Power

The manager has referent power when he possesses attributes such as charisma which can cause the officer to identify strongly with him.[48] The former Controller of Prisons appears to have exercised such referent power.[49]

Expert Power

Reitz maintains the manager has expert power if he possesses attributes and skills which make the officer believe that the manager has valid knowledge whch can be useful.[50] There are, however, several criteria for expert power. First, the officer must perceive the manager as credible. Second, he must perceive the manager as trustworthy. Finally, he must perceive the manager's knowledge or skills as useful.[51]

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[47] ibid, p.468.

[48] ibid.

[49] From conversations with the PPO and CPOs.

[50] Reitz, op.cit., p.470.

[51] ibid.

As the staff at Risdon have served, on average, for 15 years,[52] the interaction between middle-management and lower staff tends to be on an 'accommodation' basis. Many of the staff, from CPO to base-grade level, mix socially after shift. This practice has influenced the administration of disciplinary measures by management. The proper medium of officer discipline is through the officer's immediate superior, in the case of minor transgressions, but management may well choose to issue its admonitions directly to preserve their tone. A corollary is the informal discussions between middle to base-level staff about the manager's actions.[53]

At Risdon, management's authority has been eroded, although covertly, by the creation of the Law Department. As Fox has commented on the American example,

> The primary difficulty with being a division within a larger department is that this set up adds a significant additional office through which the correctional administration must go for action and policy decisions.[54]

During the time of the former Prisons Department, all decision-making, minor and major, was made within the precinct. The present divisional structure requires major decision-making to take place in Head Office. Prison management is placed in the invidious position of trying to maintain control and direction, and at the same time defer to the Law

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[52]Tasmanian Public Service Staffing List - Prisons Division, 1979.

[53]Commonly heard in the prison officers' mess room when the author was in uniform.

[54]Fox, V B, Introduction to Corrections, Englewood Cliffs, New Jersey: 1972, Prentice Hall, p.141.

Department instruction and edict. The movement of the locus of authority outside the prison has certainly been noted by staff and inmates alike.[55]

Ambiguous Leadership and Declining Discipline 5:3

According to Stoner et al

> Members in an organisation need to respect the rules and agreements that govern the organisation.[56]

They must be able to identify the leaders and know the incidence of responsibility. It was noted earlier that prison management has to be equitable in the dealings with staff and inmates.[57] Leanings in either direction bring claims of bias by the other group.[58] Such perceptions may arise from ambiguity of leadership at Risdon Prison. According to the Prison Standing Orders, the Chief Superintendent is responsible for the daily management of the prison system.[59] This is also acknowledged by reference to the Statutory Rules and Prison Regulations.[60] The Superintendent of Risdon is responsible to the Chief Superintendent for, inter alia

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[55]From conversations with all levels of staff and with inmates during the course of duty.

[56]Stoner et.al, op.cit.

[57]Rinaldi, op.cit. p.3.

[58]Interview with TPOA Secretary and discussions with inmates during Welfare duties.

[59]Law Department,CSD, ODI(1).

[60]Statutory Rules 1985, No.172, Prison Regulations, 1985, 89 (1).

> ... due order management and discipline of the prison under his charge.[61]

Because of the smallness of the Tasmanian system, the Chief Superintendent is also the Superintendent of Risdon Prison.[62]

Next in the hierarchy is the Deputy Chief Superintendent. As this position is relatively new,[63] standing orders are not yet available. However, the Deputy Chief Superintendent by virtue of his position is also the Deputy Superintendent of Risdon Prison.[64] His duties are, in part, to be

> responsible to the Superintendent for the due order and discipline of the prison.[65]

Prior to the creation of the Law Department, the Superintendent and Deputy Superintendent were both housed within the prison walls.[66] The practice was that the Deputy was responsible for the day-to-day functions of the prison. On the retirement of the then Controller, the Superintendent moved up to Acting Controller. The Deputy automatically moved up to Acting Superintendent. A CPO was duly installed as Acting Deputy. The Acting Superintendent, however, carried out most of his former duties and effectively ran the prison.

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[61] ibid, 90, 1(A) and Law Department CSD, OD2(A).

[62] There is a Superintendent at the Prison Farm and at the Female Prison.

[63] The position was finally gazetted in 1986.

[64] It is argued by management that this is the case, but the two are separate positions.

[65] Statutory Rules 1985, No.172, Prison Regulations 1985, 91(2), and Law Department CSD , OD3(1).

[66] See plan of Prison in Chapter IV.

When the Law Department took over the responsibility of the prison system, 12 months elapsed before the new position of Chief Superintendent was filled. When this appointment was finalised, the Acting Superintendent resumed his duties as Deputy Superintendent. However, during this interim period, the new Administration Offices were opened outside the prison proper, providing accommodation not only for the clerical staff but for both the Director of Corrective Services and the Chief Superintendent of Prisons. The chief Superintendent and, by virtue of his office, the Superintendent was now officially stationed outside the main prison.

The Deputy Superintendent did not assume the responsibiity in the manner he had previously done whilst acting as Chief Superintendent, but deferred responsibility to the 'new boss'.[67] This apparent abrogation of the major authority role in the Deputy's position is now further highlighted by the appearance of the Chief Superintendent at the disciplinary proceedings of inmates (as is his right) and as Chairman of the Classification Committee. The Chief Superintendent is also the first arbiter of Union grievance. By a combination of these factors, he has assumed both formal (by virtue of being Superintendent) and informal (recognised by middle-management, Union, staff and inmates) control of the day-to-day running of the Prison. This has complicated matters as the Chief Superintendent is frequently tied up on other business in his outside office. The prison, as a functioning unit, needs a day-to-day Principal who is readily available. It would appear that the present

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[67]This was the perception gleaned by the CPOs.

pattern of management styles can only issue in another bypass of the formal chain of command - as has already happened in the case of SPO and PPO.

Discipline of the staff relates back to the chain of command. Although the CPO is in charge of the particular shift, the grievance structure begins at Deputy Chief Superintendent level. In effect, the CPO can only manage his staff by virtue of his personality, and the staff's acceptance of his 'authority'. Generally speaking, there are few disciplinary proceedings against staff. This may arise from the informal nature of the prison where a quiet admonition is the norm, or, it may be that middle and senior management levels are prepared to ignore minor infractions of rules and regulations. The prison officer may be charged with 44 offences under the act.[68]

Lack of disciplinary action may be a factor in the increased amount of sick leave taken by staff. As the former Controller of Prisons pointed out, sick leave was negligible when the Government Medical Officer called to the 'sick' officer's home to verify his illness.[69] The shortage of staff at Risdon means that those who want to work overtime can do as much as they wish. Eventually they go off work 'sick' and other off-duty men are called in. If men cannot be found to replace those who are sick, on duty staff work double shifts.

As noted in the previous Chapter Union stopwork meetings, overtime bans, and threatened strike action may also contribute to a deterioration of

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[68]Law Department, CSD, Standing Orders, OD10.

[69]Interview with Hornibrook, op.cit.

staff discipline. It is debatable whether Union action is always justified; the apparently confrontational attitude taken by the TPOA Executive each time they disagree with a management directive cannot always fall under the ambit of 'industrial relations'. Militancy on the part of the Union tends to correlate with degree of discipline as union members look for primary guidance to the Union executive. Increasingly, they will come to recognise the Union as the de facto controller of the Prison.

Inmate disciplinary proceedings follow both formal and informal channels. Formal proceedings begin with the inmate being 'booked' by a prison officer who submits an incident report. The Director of Corrective Service Standing Orders for the general discipline of prisons clearly states that inmates must -

1. Promptly obey all orders they receive from officers
2. Attend all parades fully dressed and in a smart and uniform appearance
3. Address all officers as "Sir" or "Mr" and answer all calls in this manner
4. Behave in a decent and proper manner at all times
5. March in single file when proceeding to or from labour and do not straggle or smoke whilst moving about the prison
6. Stand by their cell doors in an orderly fashion at lock up.[70]

In a booklet given to inmates upon their arrival at the Reception area, 34 offences are specifically set out.[71]

Once an incident report is formally submitted, the offender appears before the Disciplinary Committee, consisting of the Chief and Deputy

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[70]Law Department, CSD, Standing Orders, A9.

[71]Instructions and Information for the Guidance of Prisons, Prisons Department, Tasmania.

Chief Superintendents. The Security CPO is also present in case of trouble. Although the Senior Management team is present, it is the Chief Superintendent who decides whether the charge is dismissed, or the inmate punished by admonition. loss of remission or incarceration in N Division - the prison punishment section.

Although an officer can charge the inmate with any offence he thinks is against the 'good order' of the prison (see No.34 in Appendix) the realities are quite different. It is questionable if the average officer is cognisant of all inmate offences, or of the offences which he can commit.[72] Normally, the officer will make a report if he is abused, assaulted, or witnesses a fracas between inmates. The officer is encouraged to 'report' any infraction of the rules, but most are cynical about the outcome of the disciplinary meeting. Allegations of 'softness' by Senior Management and 'being on the crim's side' combine with a reticence to be involved in inmate infractions to reduce the number of reports submitted by experienced staff. The new officer will normally be 'tested' by inmates to determine his character. It is during this period, until he is 'accepted' by inmates, that an officer will write most reports.[73]

The 'case-hardened' officer has many informal mechanisms available to deal with inmate infraction. Although Standing Orders clearly point out that

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[72]In this author's experience, the only time that Standing Orders are opened and perused is when promotional opportunities become available.

[73]From personal experience and conversations with officers over the past 12 years.

> Officers are not empowered to punish prisoners summarily for misdemeanours[74]

officers can delay requests, refuse to let inmates into cells other than at lockup, fail to pass on messages, limit movement about the prison, unduly search inmates and cells, and fail to pass on a request to, for example, the education or welfare sections.

Risdon Prison, like any of its mainland counterparts, has few troublemakers amongst both staff and inmates who present management problems. Eventually the inmates are released. Risdon staff have, on average, a long term of service. Disrupting inmate behaviour can, if need be, be overcome by force. Disrupting officer tactics are, ultimately, subject to decision beyond the Prison.[75] It is suggested that senior management at Risdon will increasingly be involved with the officer aspect of disciplinary procedure.

Directing the Staff 5:4

A fundamental management principle is that

> each employee must receive instructions about a particular operation from only one person.[76]

Smallness of scale and the four levels of middle-to-senior management, however, preclude a definite application of this principle at Risdon Prison. Base-grade staff purportedly work under the direction of the Duty CPO in charge of the shift. The daily prison inspection by the

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[74]Law Department, CSD, Standing Orders AZ1.

[75]Either by Law Department decision, or Industrial Tribunal.

[76]Stoner et al, op.cit.

PPO, Security CPO, Deputy and Chief Superintendents, at varying times can issue in directives to officers. The major difficulty would appear to lie in the nature of the organisational structure. The prison essentially combines paramilitary and bureaucratic ideals. While the prison attempts to present the appearance of a highly stratified organisation with a determined chain of command the formal mechanisms to implement this are rarely activated. The tendency to use authority by virtue of rank precludes any movement towards formalising procedures.

Coyle, in his seminal work on the Scottish Prison Officer, described the Scottish Prison system as a 'Machine Bureaucracy'.[77] The basic elements of a machine bureaucracy are a highly rationalised operating core, standardised working procedures, obsession with control, and considerable managerial power,[78] but as Mintzberg points out

> ... the operating core of the Machine Bureaucracy is not designed to handle conflict ... .[79]

Thus, in order to achieve the control it requires,

> it must mirror the narrow specialisation of its operating core in its management structure.[80]

To effect this control Machine Bureaucracy is left with "only one coordinating mechanism, direct supervision".[81] Management attempts to

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[77]Coyle, unpublished thesis, op.cit.

[78]Mintzberg, op.cit., pp.314-322.

[79]ibid, p.340.

[80]ibid.

[81]ibid, p.341.

achieve standardisation, or routine, in prisons. It is Mintzberg's conclusion that

> the greater the use of standardisation for coordination, th larger the size of the work unit.[82]

In this sense, Risdon Prison fits the typology presented by Mintzberg for several reasons.

Risdon Prison has a 'flat' organisational structure. It has, in effect, three hierarchical levels (see Figure 2, previous Chapter). The largest work group, base-grade staff, is supervised by the CPOs. Their avenue of appeal against administrative direction, however, begins at the prison's top level.[83] It may be argued that the CPO directly supervises his staff but, because the majority of the shifts have designated posts (see Figure 1), he effectively only directs those officers who are 'spare'. His is a coordinating role for the shift; he arranges relief for the staff and, if necessary, arranges out-of-hours transport for inmate hospital requirements, or inmate receiving.[84] The overall coordinating role for the prison belongs to the Chief Superintendent. He not only holds the formal power, by virtue of his work, but the informal power

> since that resides in knowledge, and only at the top of the hierarchy does the segmented knowledge [for the overall organisation plan] come together.[85]

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[82] ibid, p.139.

[83] Law Department, CSD, Standing Order, OD9.

[84] During the day, these duties are performed by the PPO who works from 8am - 5pm.

[85] Mintzberg, op.cit., p.322.

The prison senior management can, however, be placed in a paradoxical position if they insist on a formal chain of command reporting upwards to them. On the one hand, they may wish to preserve, or even enhance, the image of a paramilitary organisation with a well-defined rank structure. On the other hand

> a fundamental dilemma faces the top managers of the Machine Bureaucracy as a result of the centralisation of the structure and the emphasis on reporting through the chain of authority. In times of change when they most need to spend time getting the "tangible detail" they are overburdened with decisions coming up the hierarchy for resolution. They are, therefore, reduced to acting superficially, with inadequate, abstract information.[86]

It may be argued that the 'unity of command' principle has little application in Risdon Prison because of the organisational structure, and machine bureaucratic tendencies. Mintzberg has suggested that unit grouping is one of the most powerful design parameters available to management.[87] These units can be based on six broad groupings.[88] These categories can all be found in Risdon with both positive and negative applications:

a) Grouping by Knowledge and Skill

Prison reception, prison records, finger printing and photographic facilities, and the admission and discharge functions - including court warrants - could be centralised into one unit. At present they are located in three separate areas. The practice of keeping prisoner

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[86] ibid, p.344.

[87] ibid, p.107.

[88] ibid, pp.108-111.

records outside the prison in the 'Admin Block' means that they are not readily available out of hours; a consequence which could delay important information facilitation. Additionally, the ready access to information could aid the daily Deputy Requests and bi-weekly classification Committee meetings. The present practice is to request files on an 'as need' basis.

Another grouping could combine the educational, library and welfare sections. Currently the education section and library are housed in the same building. A centralisation of these 'professional' services would have benefits for both staff[89] and easy inmate access to the Welfare Service when attending the education or library sections. Provision could be made for inmates who wanted to seek Welfare assistance outside library times. It also has the added advantage in controlling movement when services are based in the same building.

b) Grouping by Work Process and Function

The physical structure at Risdon Prison was purposely planned to keep the cell divisions in one part of the institution and the work shop areas in another: the only exceptions being N Division (separate treatment) and H Division (Remandees), and the Kitchen and Bakehouse which is adjacent to the main cell block (see Figure I, previous Chapter). The Hospital has been built at the rear wall of the Prison with access both from within the institution and from an outside main gate entrance. Staff are largely rostered by work process and function

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[89]The Welfare and Education sections sometimes overlap - especially when dealing with remedial level inmates.

- the process being the routine roster posts and functions being specific permanent posts.

c) Grouping by Time

This is achieved in the Risdon staff example by virtue of the roster. The Workshops operate on a weekly basis from 8am - 4pm. The Prison Hospital operates on a 24 hour basis being staffed by both custodial and nursing officers. The non-uniformed administrative staff work normal public service hours on a weekly basis.

d) Grouping by Output

This section applies mainly to the Workshop areas and the Prison Hospital in the custodial sector, and to the Administrative Officers in the non-uniformed sector.

e) Grouping by Client

Although smallness of scale has prevented senior management from effectively segregating the various categories of inmates, some attempt has been made in this direction. B Division, for example, is used to house the inmates who work in the prison Laundry. E Division normally houses those on protection; they mainly work in the Tailor's shop. F Division is used for those employed in the Kitchen and Bakehouse and fire crew squads. A Division is used for the inmates employed on 'outside' groups - Government House and Risdon Prison grounds - and for 'first offenders'. C & D Divisions usually house the recidivists who work in a variety of locations.

f) Grouping by Place

This section does not relate primarily to Risdon Prison, but the Tasmanian Prison System per se. The rationale behind this section is geographical location. Tasmania, as already noted, has a Prison Farm, a separate Female Prison, and several gazetted Prisons at Launceston, Devonport and Burnie.

The 'Unity of Command' principle could, perhaps, be utilised in Risdon Prison if modifications were made using the unit system. A good example would be the unitisation of each of the Prison divisions. A permanent custodial crew could be allocated to a division under the command of an SPO. The SPO would be rostered day shift with the other officers working the 24 hour cycle. Sufficient staff would need to be provided to allow for days off duty but it is suggested that two SPOs and four base-grade staff would maintain this level.

Operational Direction 5:5

Stoner et al suggests

> These operations within the organisation that have the same objective should be directed by only one manager using one plan.[90]

The major difficulty affecting Risdon Prison's direction is the emphasis placed by the Law Department on providing "a uniform approach to corrections philosophy".[91] The amalgamation of the former Prisons Department with the Probation and Parole Division of the

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[90]Stoner et al, op.cit.

[91]Law Department CSD Staff Newsletter, op.cit.

Attorney-General's Department saw the creation of the Corrective Services Division of the Law Department. The Heads of each former agency now came under the control of a 'Director of Corrective Services'. The Director is responsible to the Secretary of the Law Department for the

> control and administrtion of the Corrective Services Division (including Prison, Probation and Parole Services).[92]

The change from Departmental to Divisional status has not materially affected the nature of the prison operations thus far. The only significant difference appears to be the perceived loss of authority of the Head of the prison branch - the Chief Superintendent. Industrial disputes involving the TPOA and Law Department hierarchy have highlighted his apparent demotion. This has been cemented by the location of the Director outside the main prison building in the Administrative Offices, next door to the Chief Superintendent. A similar situation occurred under the former Prisons Department.

During his investigation into Risdon Prison Administration, Grubb commented on the fact that the Controller of Prisons was situated next door to the Superintendent of the Prison.[93] Grubb recommended

> that earnest consideration should be given to establishing the office of Controller in the Administrative Centre of the City of Hobart.[94]

This recommendation was never implemented and prison staff still recognise the office of Controller, or as it is now known - Director of

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[92]Advertisement for Director of Corrective Services, Tamsanian Government Gazette.

[93]Grubb Report, op.cit., p.24.

[94]ibid.

Corrective Services, as being the head of the system. Upon the former Controller's retirement, the Superintendent became Acting Controller, and following the creation of the Law Department, was then appointed to the first Director of Corrective Services. Prison staff, in the main, thought that the position of head remained unchanged, with the status being merely enhanced by a new title.[95] Again, this perception was reinforced by the Head of the new Division being the former Head of Prisons.

As was noted earlier, the amalgamation has produced little apparent change in the functioning of the Prison. The creation of a CPO selection committee for promotional purposes has underlined the prison's custodial emphasis although the future appointment of a new Director may change this.[96] However, the integration of prisons with probation and parole has been questioned.

> 'We now have in Australia, 'corrective', 'correctional' and 'corrections' rather than 'prison' departments. This is not so much a reversion to early nineteenth century English labelling but rather follows the adoption of an American practice - a practice of very dubious validity - of grouping together prison, probation and parole personnel under a single administration.[97]

It is perhaps too soon to predict the effect a new Director will have on Risdon Prison. His background and experience will no doubt be major determinants. If he comes from a non-prison environment, he may wish to

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[95]From general discussions with prison staff.

[96]According to the Acting Director, the Law Department wishes to 'upgrade' the position of Director and seek, perhaps, a criminologist to head the divsion - discussions with A/Director, 25.11.87.

[97]Rinaldi, op.cit. p.3.

change the nature of the prison's operation. If, on the other hand, he has prison experience, he may retain the status quo. Again, he may leave the direction in the hands of the Chief Superintendent. The Chief Superintendent does, however, require a plan of action. The former Director of Corrective Services and the former Deputy Chief Superintendent have both claimed that they were given only 'operating' instructions.[98] The present prison management practices still appear to reflect the dominant persuasion of the early administrators.

When the Gaol Department was established in 1936 the Governor was Lt Col L M Mullen. His background was military and he had served as the Governor of Campbell Street Prison since 1928.[99] He was followed by Lt Col J J Scanlon in 1945. The militaristic practice of management continued. Scanlon retired in 1955 and the Government appointed the executive officer, W T Lonergan, to the position. Lonergan had no practical prison experience and discipline rapidly broke down at Campbell Street.[100] It was not until the appointment of D Hornibrook in 1959 as Deputy Governor that order was restored.[101] Hornibrook's background was, again, military, and he had already served in a senior prison management capacity as Director of a camp for insurgents in Malaya during the emergency.[102] Hornibrook retired in 1981 and his

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[98]See Howe, op.cit., and discussion with B J Westwood, former Deputy Chief Superintendent.

[99]See Wettenhall, R L, A Guide To Tasmanian Administration, Hobart: 1968, Platypus, p.91, for details of all Prison Governors and Controllers of Prison.

[100]Hornibrook, op.cit.

[101]ibid.

[102]ibid.

position as the Superintendent of Risdon Prison was taken by a former Royal Air Force Officer.[103]

Until 1985, with the exception of the period 1955-1961, prison management practice has been governed by militaristic tendencies and procedures. Effectively, 50 years of this tradition has culminated in each successor continuing and building on a practice that reflected society's view of prisons as paramilitaristic and custodial. The bureaucratisation of prisons has added to the firm grounding of these procedures. The result, now, is that new administrators are schooled in the old practices and the system becomes self perpetuating, and inert. In his reply to a questionnaire from South Africa, the present Chief Superintendent did not view experience as a Prison Manager as a prerequisite for promotion within the system.[104] Instead he was of the opinion that a bureaucratic public service career "based on practical experience" was the necessary attribute.[105]

It would appear that in the Risdon Prison example, the formulation of an overall plan will not come from the prison branch; rather it will be left to either the new Director, or the Law Department. Failing this, the prison administration by senior management will be on a bandaiding basis, curing rather than preventing.

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[103]Howe, op.cit.

[104]Reply to questionnaire from South African Prison Services, 1986, p.5. Prison File 13/1/2A.

[105]ibid, p.7.

Seeking a Common Goal 5:6

A major difficulty in any organisation is the channeling of efforts to ensure efficiency, and it has been noted,

> In any undertaking, the interests of employees should not take precedence over the interests of the organisation as a whole.[106]

However, this is not always the case. The Public Service of Tasmania has a career structure based on a 'merit' rather than the 'seniority' principle.[107] Whilst this is true for those who wish to advance within the 'generalist' framework of the service - transferring between Departments as promotional opportunities arise - the 'specialist' nature of the prison organisation precludes the advancement of the prison officer within other Departments. If he wishes to remain a prison officer his only avenue for advancement is promotion within the prison system per se. Again, because of the smallness of the system there is very little prospect on average. The officer may enrol in courses to further his promotional chances but the gaining of qualifications does not ensure advancement.[108] Some research, however, claims prison officers can be investigated only by understanding the staffing model for their organisation.

In 1982, King postulated three models of staffing which might be applied

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[106] Stoner et al, op.cit.

[107] A recommendation of the Cartland Report into Tasmanian Government Administrtaion, 1981.

[108] After management recommended the promotion of three base-grade officers - who had the minimal education and service qualifications, one officer - who had spent four years on an after hours supervising course - appealed and won.

to a prison service.[109] The first is the military model - so called because of the adoption by 18th century prisons of the uniforms, trappings, insignia and rank structure of the military for their custodial staff. Criminologists have condemned this model and its so called

> military martinets who knew only how to obey an order and were resistant to reform.[110]

The second model is of a professional service, under which prison officers might be deemed to be in a position analogous to nursing staff in hospitals. As King suggests

> it is important to remember that prison officers did not resist treatment and training because they were obstinate and cussed, but because it did not make sense in the context in which they were required to work.[111]

The final model, a wage-labour model, is the one "which predominates today in the prison service".[112] King suggests that it is also the model which is likely to prevail in the forseeable future.[113]

The Tasmanian Prison Officer has moved along a continuum using King's first and third models, with his union - the TPOA - trying to maintain the military mode. The reality, however, is that officers in Risdon Prison approximate King's 'wage-labour' model. The limited promotional

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[109]King, R D, "Industrial Relations in the Prison Service", The Harvard Journal, XXI, 1982, pp.71-75.

[110]ibid, p.72.

[111]ibid.

[112]ibid.

[113]ibid, p.73.

opportunities and lack of tangible job satisfaction (a consequence of non-involvement in prison programmes other than custodial) militate against retention of interest in organisational goals. Even if the Law Department's statement of achieving a unified approach to corrections is taken at its face value, the motivated officer finds the reality different from the rhetoric. Tasmania, like other prison systems, has used specialists to cater for prison inmate programmes.[114]

The introduction of specialists continues to be a major cause for concern, not only for these role incumbents, but for the whole prison system. Prison Officers see the professional staff as part of a liberalised approach to man-management which sometimes unacceptably criticises their own function. Thomas notes that the introduction of specialists has had two effects on the English prison service. The first has been to narrow the role of the officer, "to heighten its coercive overtones"[115] and "to contribute to its definition as starkly custodial".[116] The second has been to add to the "overall deterioration in the administration of the service".[117] In the immediate future, Thomas sees the prison officer role as being purely custodial, and because of the primary controlling task,

> there is a simple, inescapable irreducible conflict between the staff, especially the uniformed officer, and the prisoner.[118]

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[114]Psychiatrists, Psychologists, Social Workers and Teachers.

[115]Thomas (1972) op.cit., p.199.

[116]ibid.

[117]ibid.

[118]ibid, p.162.

Emery agrees:

> given the requirements of security and good order, the role of the ordinary officer cannot be defined as that of also being the prisoners friend and counciller.[119]

However, specialists spend only a limited amount of time with the inmate compared to the officer and, as Allen and Simonsen note,

> inmates are most strongly influenced by those persons who spend the most time with them. At present, correctional officers and work supervisors, rather than treatment specialists, are most likely to be influential.[120]

The authors claim that the correctional, or base-grade prison officer is

> long recognized as the single most important agent for change in institutions...[121]

Remuneration 5:7

> Compensation for work done should be fair to both employees and employers.[122]

In the prison system it is difficult to measure tangibles such as productivity. The yardstick must therefore be time spent by the staff on the job. Prison staff salaries for the financial year 1986/87 amounted to just under $5.5 million. The prison officer receives a basic salary and adds to this through penalty allowances for afternoon shift (15%), night shift (15%), Saturday and Sunday (100%), recalls from off duty (200%) and other overtime (50%). He is granted allowances for

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[119]Emery, op.cit., p.96.

[120]Allen & Simonsen, op.cit., p.382.

[121]ibid.

[122]Stoner et al, op.cit.

unarmed combat, weapon handling, higher duty allowance and for passing a promotional examination (see Figure 2).[123] The average salary of a base-grade prison officer at Risdon during the financial year 1986/87 was approximately $26,000.[124]

Figure 2: Dissection of Risdon Prison Salaries 1986/87

EXPENDITURE	ACTUAL	PROPOSED
	1985/86	1986/87
Basic salaries	4,107,925	4,130,000
Provision for 2.3% award increase	-	120,000
Penalty rates 50% and 100%	456,033	455,000
Penalty rates 15%	95,066	95,000
Overtime	528,897	420,000
Allowances - shift	57,318	
- standby	13,709	
- unarmed combat	47,803	
- SPO examination	14,334	
- weapon handling	19,072	
- expenses of office	1,500	
- other	2,402	
- higher duty	30,573	
- extra duty	12,311	
- annual leave loading	79,854	40,000
	5,466,797	5,260,000

If the officer is willing to work all available overtime, he can earn in the region of $30,000 at Risdon.[125] Overtime payments in recent years have outstripped estimates.[126] Management requires a prescribed number

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[123]From Law Department Consolidated Fund notes, op.cit., 1826.

[124]From conversations with base-grade staff at HMP Prison.

[125]This was accomlished by several base-grade officers last financial year.

[126]An amount of $350,000 was provided for 1985/86. However, the final cost reached $528,897. Law Department Consolidated Fund Notes, op.cit., p.1827.

of officers to run and service the prison.[127] If Governments are reluctant to provide further staffing it appears that overtime is the only option open for management unless the organisation is restructured.[128]

One reason for the increase in overtime has been the formulation of a new roster to accommodate the 38 hour week. This provides prison officers with two leave periods a year, that is four weeks leave for each six months work period. Another lies in the fact that no provision has been made for the creation of new positions like the recently created Education Section Prison Officer. This position has therefore been filled by taking an officer from the normal complement which staffs the roster. The loss of roster staff is countered by offering the blank space on the roster as a 'recall'.[129] The constant working of both normal and overtime hours tends to increase staff sickness,[130] thereby perpetuating the overtime syndrome as off duty staff have to be recalled for those reporting sick.

Since the creation of the new State Services Act for Tasmania, each Agency is allocated a finite amount of finance.[131] The Head of Agency

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[127]An agreement on minimum manning levels was agreed by Law Department and the TPOA.

[128]Dr Ken Kerle points out that it is false economy having unlimited expenditure. He claims 'overstaffing' is more cost effective. Interview, Hobart, 3.2.88.

[129]A 'double time' shift.

[130]TPOA claims to rebut allegations of sick leave abuse. TPOA media release, October, 1986.

[131]Discussions with Chief Superintendent.

apportions the funds to each Division which has to submit an estimate of running costs for the coming year. The Prison Division has found that "it is absolutely impossible to keep to budget".[132] The former Controller was quite explicit as to the reason. He claimed it was "considerable misuse ... and abuse of sick leave".[133] The tenure of service enjoyed by prison officers in Tasmania negates most management attempts at disciplinary dismissal.[134] Those who 'abuse' the sick leave provisions do so in the knowledge that management cannot act - this is the Law Department's domain - or are loathe to set in motion procedures which could materially affect the industrial harmony of the prison.

The Centralisation of Prison Decision-making: a Two-Fold Exercise? 5:8

Stoner et al comment,

> Decreasing the role of subordinates in decision-making is centralisation; increasing their role is decentralisation.[135]

This rationale is acceptable if the organisation is small and is not a subsidiary. Centralisation of the Tasmanian Prison System has occurred on two levels. The loss of Departmental status, and subsequent transfer of responsibility to the Law Department, has effectively reduced top level decision-making at senior-management level. Paradoxically, the

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[132]Hornibrook, op.cit.

[133]ibid.

[134]It has become more difficult under the new State Services Act to dismiss employees because of the avenues of appeal.

[135]Stoner et al, op.cit.

change in status of senior prison management has increased centralisation within the prison. This antithesis has added to the strain of normal daily prison management.

Both Thomas and Coyle[136] have remarked on the remoteness felt by staff towards Head Office. Before centralisation those directing the prison service were known and recognisable. After centralisation, the leaders were not so identifiable.[137] Whilst the same may not be so evident in Tasmania, the authority of senior prison management has been diminished by the subjection of major decision-making to Head Office.[138] This loss of authority is also indicated by the negotiating attitudes of the TPOA, which frequently bypasses the chain of command, in seeking meetings with the Secretary of the Law Department. It may be however that these meetings are not to be the decision-making vehicles anticipated by the Union.

In an address to the Prison Officers Association of Australia (POAA) Conference in Hobart, the Secretary of the Law Department recognised that the prison staff had reservations about the Head Office management.[139] On the other hand,

> Prison management and head office management were suspicious of the activities of the Union.[140]

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[136]Thomas in King and Morgon, op.cit, p.138, and Coyle, unpublished thesis, op.cit.

[137]Thomas, in King and Morgan, op.cit.

[138]Prison Officers of Australia Annual Conference, Hobart, May 1986 - Minutes, p.5, Address by the Secretary of the Law Department.

[139]Prison Officers of Australia Annual Conference, Hobart, May 1986 - Minutes, p.5, Address by the Secretary of the Law Department.

[140]ibid.

The ramifications of this centralisation policy (which was inspired by a former Attorney[141]) have yet to be understood. One major concern of staff is that Head Office has little prison knowledge.[142] Another frequent criticism by those within the prison system is that the overall management of the service is handled by functional bureaucrats. The Tasmanian Head of Agency did little to allay those fears when addressing the POAA conference: he spoke as one

> who comes to the Administration of prisons with no background in the matter.[143]

Access to the Head is dependent upon the Secretary's schedule. The former Director of Corrective Services thought that the Secretary

> had too much on his plate ... too difficult to contact.[144]

He maintained that prisons were a

> political football and in a day to day situation ... if you cannot get hold of the boss, what do you do?[145]

The former Controller and Director were both adamant that the prison service needed its own identity separate from other Agency control.[146]

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[141] See Bingham, op.cit.

[142] A frequently heard staff observation is "what do they (Head Office) know?".

[143] POOA Conference, op.cit., p.4.

[144] Howe, op.cit.

[145] ibid.

[146] Hornibrook, op.cit., Howe, op.cit.

> It was disastrous as far as the [prison] was concerned. Prisons are one of the most difficult portfolios ... difficult for prison administrator if he cannot get [the] ear of the Minister ... the administration should not have to go through another agent to get to his head.[147]

The former Director felt that there should be a "Justice Department with its own Minister".[148] Hornibrook, however summed up the fears of most staff about centralisation

> when authority is removed from management ... prisoners see a weakening of [the] position.[149]

Centralisation within the prison has increased since the creation of the post of Chief Superintendent. The genesis of this may be traced to the last decade of the old Prison's Department. Although there was a designated hierarchy through which subordinates could rise, promotion effectively stopped at the CPO level. This was primarily a result of the minimal educational prerequisite of Grade 6 for prison officer employment. The Deputy Governor/Superintendent position fell vacant on three occasions after 1970 but, despite many CPO applications, no promotions were made within the prison because the Deputy position required at least matriculation qualifications. Hornibrook was of the opinion that the best prison administrators came from those who progressed up through the ranks,

> but the Tasmanian Prison System was handicapped because of the recruiting policy.[150]

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[147]Hornibrook, op.cit.

[148]Howe, op.cit.

[149]Hornibrook, op.cit.

[150]Hornibrook, op.cit.

His only other option in determining the future incumbent was

> appropriate institutional experience, or a related discipline such as probation and parole.[151]

It should be remembered that until the early 1970s the custodial nature of Risdon Prison was the dominant policy.

The appointment in 1970 of a probation and parole officer, J Howe, to the Deputy's position saw a change in the management/CPO interaction. The previous decade was comparatively stable with the relationship between the then Deputy and CPOs being developed over a long period. The new incumbent took two years to adjust to the position,[152] and it is possible that his later opinion was formulated during this period. Howe later claimed that he was "not happy with the calibre of CPO".[153] and found it difficult to get a "chain of command, educationally".[154]

The dominant custodial nature of Risdon began to change during the early 1970s, partly as a result of the 1972 riot and, perhaps, because of the views of the Deputy on prison management. During this period, the CPOs had considerable delegated authority due to the then practice of the CPO following his 'shift' or group of staff for a set period.[155] This practice enabled both the CPO and his shift to become familiar with idiosyncratic method of operation. A new CPO roster implemented from

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[151] ibid.

[152] Howe, op.cit.

[153] ibid.

[154] ibid.

[155] He worked with the same crew for a three week period.

1980 ended the arrangement with the result that during any one week, the group could have several CPOs in charge of a particular shift. Although the CPOs still retained the 'formal' delegated authority, the informal interaction base between CPO and group staff was eroded.

At the beginning of the 1980s, the Controller of Prisons and the Superintendent announced their intentions to retire. Within a year the Deputy rose to be Acting Controller. An increased emphasis on inmate programmes, and the opening of the Prison Hospital, for both psychiatric and general inmate patients, saw a deterioration in the CPO's authority. Not only had the CPO lost the group interaction, but he increasingly now had to refer to Senior Management as to prison practice and methods of handling inmates housed in the Prison Hospital. A further erosion of his authority coincided with the subsequent hiring of prison nursing staff. Prior to the Hospital's opening, a prison medical orderly looked after the inmates' medical requirements in conjunction with a visiting general practitioner. The CPO acted as intermediary between inmates' requests and treatment provision and directed the medical orderly regarding security arrangements. Immediately after the Hospital's opening, nursing staff were seconded from the Royal Derwent Hospital but they were utilised only on a day shift basis. Because of their secondment, these nurses still deferred to the duty CPO. The provision to staff the Hospital on a 24 hour basis led to the recruitment of prison nursing staff and the appointment of a permanent Nursing Officer in Charge. The functions and authority originally held by the CPO now passed to the Hospital staff.

The Deputy's position again became vacant in 1981, through promotion to the position of Superintendent and as a result of the recruitment

prescription, and managerial preference for an outside appointment,[156] again a lateral appointment was made. The covert gap between senior and middle mangement perhaps became formalised at this point. As the training of the Deputy consisted of 'sitting in with the Governor'.[157] or Superintendent.[158] it can be assumed that the attitudes of the previous Deputy were passed on. Any attempt by the CPOs to regain authority was shortcircuited by the retirement of the Controller in 1981 and the appointment of both Deputy and Superintendent to acting positions. Authority and power became centralised in these two positions.

The creation of the Law Department took place in 1984. To facilitate the transfer of power and decision-making from the prison a Corrective Services Implementation Committee was set up. Although the former division of probation and parole was to be included in the new Corrective Services Division, the committee was largely concerned with prison matters. The Acting Controller and Acting Deputy represented the prison on the Committee. Decisions taken by this Committee very rarely filtered through to the middle management - the CPOs. Middle management and the rest of the prison staff felt isolated and the prison was rife with rumours. Much of the fear expressed by the CPOs was in relation to the alleged interchange of staff between prison and probation and parole. It was rumoured that senior probation and parole staff were

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[156] ibid.

[157] ibid.

[158] Discussions with Deputy Chief Superintendent.

eligible for promotion to the middle and senior levels of prison management. To alleviate these fears the Attorney-General issued a newsheet denying the intention of such change.[159] The Attorney-General specifically stated that each branch of the Division would retain its separate identity and functions.[160] No transfers between branches and staff would take place.[161]

The establishment of the CPO Committee in 1984 appeared to restore some semblance of authority to middle management and was initially well received by CPOs.[162] Most were of the opinion that a form of democracy existed during this period. Meetings were held on a regular basis. No such format had existed before; "meetings happened when and if. [There was] no formal structure".[163] The regularity of the meetings decreased upon the appointment of the new Chief Superintendent and most CPOs became disillusioned. The nature of the newly created position was, in part, responsible for this but the retirement of the Director also meant that this authority was vested de facto in the Chief Superintendent. The CPOs found the meetings to be vehicles for senior managerial fiat. Voluntary attendance of off-duty CPOs diminished. As one CPO has commented "all we have now is the glory, no power".[164]

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[159]Law Department

[160]ibid.

[161]ibid.

[162]Conversations with CPOs.

[163]Howe, op.cit.

[164]Conversation with CPO.

It would appear that many of the managerial problems evident in Risdon Prison can be resolved by a return of delegated authority to middle management and perhaps a restoration of the former CPO roster. The chasm between middle management and senior level staff could be reduced if a promotion was made within the prison to Deputy Chief Superintendent level. However, since there are no applicants from outside the prison for the position of CPO and the present group of CPOs have only minimum qualifications,[165] the chances of this happening are slight.

Diffusion of Power and Authority 5:9

A central tenet of hierarchical organisations is that

> The line of authority ... runs in order of rank from top management to the lowest level of the enterprise.[166]

If the organisation is run on a bureaucratic premise this tenet should hold true. The formal rank structure of Risdon Prison was noted in the previous Chapter. It was suggested that, although the prison authorities perceive the organisation to be paramilitary, the actual chain of command bypasses several of the designated ranks. In this sense Risdon staff do not 'fit' into a formal legal-rational bureaucratic model, or the military concept of a structured rank hierarchy. The paramilitaristic trappings of uniforms and insignia may be the only indications that the organisation is so modelled. Traditionally, former military personnel were attracted to the prison service because they thought that it was an extension of military service. The authorities

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[165]Controller's comments on applicants, Prison files, op.cit.

[166]Stoner, et al, op.cit., p.48.

recruited ex-servicemen on the premise that they would obey commands and impose discipline on those under their charge. In reality, the prison environment is far removed from the structure and authority implicit in service life. Civilian recruits, on the other hand, may regard the wearing of uniforms as purely functional.

It has been suggested that there are two major theoretical approaches to the origin formal authority in organisations: the classical and the acceptance .[167] The classical view is that authority originates at the top level of society or organisation and is legitimately passed down through each subordinate level. Management has the right to give orders and subordinates have the obligation to obey. By entering and remaining in an organisation, the subordinate recognises this managerial right and normally accepts directives.[168]

The acceptance view of authority is that influence is the major determinant. If a group of people refuse to accept commands or directives, the authority of the order ceases.[169] Barnard has described the conditions under which a subordinate will accept higher authority:

> A person can and will accept a communication as authoritative only when four conditions simultaneously obtain: (a) he can and does understand the communication; (b) at the time of his decision he believes that it is not inconsistent with the purpose of the organisation; (c) at the time of his decision he believes it to be compatible with his personal interest as a whole; and (d) he is able mentally and physically to comply with it.[170]

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[167] ibid, p.355..

[168] ibid.

[169] ibid.

[170] Simon, H A, Administrative Behaviour: A Study of Decision-making Processes in Adminstrative Organisation, 1961: New York, Macmillan pp.133-134.

One of the major problems for staff at Risdon Prison lies in the contradictory directives to prison functioning issuing from the Law Department and senior management on the one hand, and middle level management on the other. Senior managerial practice is to take a more 'humane' approach in dealing with inmates. The CPOs in the main are, by virtue of training and previous Departmental practice, custodially oriented, and base-grade staff training is directed towards the custodial nature of the work. Experience has taught that promotional prospects depend upon proven competence in this area. Faced with this divergence of perception senior management has to develop strategies aimed at reconciliation, but related to a general policy for the prison. There is a danger in developing strategies only to ease management and staff relationships:

> When a manager continually eases rules and changes procedure to accommodate subordinates, they will suspect that he or she is not flexible but weak and indecisive.[171]

Prisons focus on power relationships. By virtue of his office, the most powerful person in the prison is the senior manager. Successful management of the prison will be largely determined by his use of power.

Katter, in a study of American managers, suggested the following six characteristics were to be found among those who used their power successfully:[172]

1) Effective managers are sensitive to the source of their power and are careful to keep their actions consistent with people's expectations. For example, specialists with expert power in

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[171] Stoner et al, op.cit., p.358.

[172] Katter, J P, "Power Dependence and Effective Management", Harvard Business Review, 55, No.4, (July-August 1977)pp.135-136.

one field might lose credibility if they try to influence actions in a different area.

2) Good managers understand - at least intuitively - the fine basis of power [reward, coercive, legitimate, expert, and referent][173] and recognise which to draw on in different situations and with different people. They are aware of the costs, risks, and benefits of using each kind of power.

3) Effective managers recognise that all bases of power have merit in certain circumstances. They try to develop their skills and credibiliity as they can use whatever method is needed. Thus, they establish useful alliances with others in the organisation, develop expertise, and generally display confidence at all times.

4) Successful managers have career goals which will allow them to develop and use power. They seek jobs that will build skills, which in turn will make others dependent on them. They also seek jobs which demand a type of power that they feel comfortable using.

5) Effective managers temper power with maturity and self control. They avoid impulsive or egotistical displays of their power and shun tactics which are unnecessarily harsh on others around them.

6) Successful managers know that power is necesary to get things done. They feel comfortable in the use of power and accept the fact that they must be able to influence the behaviour of others to achieve goals.[174]

It has been noted that the Risdon Prison hierarchy effectively consists of three levels - senior, middle and base-grade. The senior level comprises two positions, those of Chief and Deputy Chief Superintendent. Authority, influence and power, traditionally based in the middle levels have effectively passed upwards to senior management. They, in turn, have centralised the decision-making process and little delegated authority is passed downwards. The effectiveness of senior management

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[173]French & Raven, op.cit.

[174]Katter, op.cit.

leadership has been questioned by middle and base-grade levels, partly as a result of staff conservatism and inflexibility to change, unclear goals, and lack of direction. Management, on the other hand, is subject to Law Department edict, ad hoc contingency measures, and little long-range planning. According to the former Director,

> something [at the prison] has to go wrong before anything is done about it.[175]

The Failure to Appraise 5:10

Of major concern to the Tasmanian Prison System is the practice of keeping all recruits and granting them permanency irrespective of their usefulness or capacity to do the work. During this author's service,[176] no recruit has had his employment terminated during his probationary period.[177] Those who have left have gone voluntarily, in most cases because of the nature of the duties. It is highly improbable that the selection process is so refined that the correct choice is made in each case. Senior management selects the aspiring candidates but that appears to be the extent of its participation. Many of the CPOs emphasise that certain officers are incapable of anything but the most menial of duties, and then only under constant supervision.[178] There is clearly some failure in the appraisal system and a reluctance to dismiss those who are unfit for the position.

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[175]Howe, op.cit.

[176]Twelve years - nine as a Prison Officer and three as the Welfare Officer

[177]Two were advised to resign because of impending criminal and civil actions.

[178]Discussions with both middle and senior management.

Cartland, in his report on Tasmanian Government administration summed up the problem:

> The confirmation of probationary appointments calls for ... comment. Appointees to the permanent Public Service are usually subject to a period of probation beofre their progression to permanent status is confirmed. Again, an assessment of their conduct, diligence and efficiency is required prior to their confirmation. Evidence and enquiry suggests that very few appointees fail their probationary assessment which appears to be treated in many places with only cursory interest. Instead of expecting objectively high performance levels from appointees as evidence of their worth as permanent employees, it appears that in many cases, departments and agencies are content to grant permanency by default, in the absence of any serious misdemeanour of the appointee during the probationary period. The implications of such attitudes are both evident and serious - staff are admitted to permanency of tenure in many cases on unacceptably low levels of performance.[179]

This retention of the unable means that management may not have sufficient staff who can rise through the ranks. Despite the fact that a number of officers have passed the promotional examination to the rank of SPO, this does not necessarily mean that they are capable of working as an SPO, or being promoted further.

The SPO eligibility examination is little different from the test recruits sit in order to be confirmed as permanent public servants.[180] The success rate for the examination is normally over 95%.[181] Those who resit the paper have a 100% success rate.[182] This paper, like both

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[179]Report of Phase II of the Review of Tasmanian Government Administration. Second instalment, E3.2.16, Cartland,Sir G, CMG.

[180]See copy in Appendix.

[181]Statistics from author's survey of the promotional schools during the decade from 1975-1985.

[182]ibid.

initial entry and permanency examination tests, is designed so that candidates with the minimal grade 6 educational qualifications can pass. In fact, this is the final internal examination paper for promotional purposes. There is no promotional examination for CPO. A large number of SPOs refuse Acting CPO positions (see previous Chapter, section on Promotion), and it appears that the majority are quite happy remaining at that level. As the SPO level is a designated step in the formal hierarchy, the refusal of many to seek further promotion creates a barrier for such lower level staff as have aspirations to promotion. As it is highly unlikely that base-grade staff will be promoted to CPO without first holding the SPO rank, management are thus frustrated in their attempts to move the best base-grade prison officers up through the system. It is probable that any management attempts to bypass the formal hierarchy would meet with Union resistance.[183]

Two innovations, however, would do much to resolve this difficulty: the institution of a CPO qualifying examination, and the creation of a new position between SPO and CPO levels. The CPO qualifying examination would be open to anyone who has already passed the SPO course. Course length and component details would be subject to Law Department approval but should contain units from the behavioural sciences in those disciplines appropriate to the prison setting. The course should be of such a standard to allow the grading of officers according to ability. The duration and timing of the course should coincide with the officers

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[183]Although the Secretary of the TPOA claimed they would not object to this in an interview with the author.

work roster as management can substitute spare officers for fulltime participants and officers may be stimulated by the change from their normal working roster.

Successful completion of the CPO course would place the individual in a category (assistant Chief or Deputy Chief) from which the new rank would be chosen. Selection to CPO level should only come from this new rank structure. Part of the requirements for rank incumbents is the willingness to be further promoted. Those failing to meet the requirements should be demoted. Whilst the number of positions is subject to requirements and agency and union negotiation, those who meet the initial course requirements could be gazetted in the positions. The remainder, and those from further schools could be graded in order of pass merit and seniority of course completion.

While it is accepted that there will always be those who are quite willing to remain at certain levels, there should be available opportunities for those with higher aspirations. Adherence to the present method and prescription for promotion can only enhance mediocrity, and institutionalise the dominant custodial practice.

Small-scale System Relationships 5:11

According to some authors, "Managers should be both friendly and fair to their subordinates",[184] but it is suggested that this is subject to size of the organisation. A maxim of organisation theory is that the larger the organisation the more impersonal are relationships between

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[184]Stoner et al, op.cit., p.48.

senior management and the lower levels of subordinate staff. In a small prison such as Risdon the high intensity of interactions between senior management and subordinate staff renders equality of treatment difficult to achieve.

Over a period of several days senior management meets all the staff except those rostered on nightshift, and those on leave entitlements. They observe the staff during the daily inspection tour of the prison at 11 am and compare working practices and/or deviations from normal routines. This daily interaction has both advantages and disadvantages for senior management.

The normal practice is for senior management to enquire during the course of their inspection if an officer has any problems. While this managerial approach may well elicit information, it may also be abused by those who wish to bypass the normal chain of command for requesting an interview with senior management. Acceding to such requests may alienate both the inmates on muster, as they must adhere to the formal request structure, and other prison officers, who may detect preferential treatment. Conversely, if management ignore the subordinate request, they invite allegations of remoteness and disinterest.

Relationships between senior management and subordinates are perhaps most strained on the infrequent occasions when promotional opportunities occur. Prior to 1980 the successful appointee to SPO, CPO, or above was directly selected by senior management. This gave rise to claims of bias and favouritism. Since 1980 all those eligible for selection can

apply. The normal selection process is by interview. Most applicants, however, think that the result has been determined prior to interview. The aftermath usually sees a souring of relations between some of the unsuccessful applicants and senior management. This development is common to all types of organisations but it is exacerbated at Risdon because of the smallness of scale.

On entrance to the prison service the recruit is informed of the hierarchical structure. He is told he must salute his superiors and address them as 'Sir'. His superiors in turn will acknowledge the salute and address him as 'Mr' or 'Officer'. Since 1982 there has been a trend by senior management to address some subordinates on a first name basis. Although the majority of officers have not taken advantage of this situation, it has reduced staff respect for senior management.[185] It is common practice for CPOs and lower ranks to give and receive orders on a first name basis,[186] but the limited practice by senior management has been greeted with scepticism and evokes charges of inequity.

Risdon Staff Stability 5:12

An organisation needs stability. Therefore,

> a high employee turnover rate is not good for the efficient functioning of the organisation.[187]

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[185]Many staff are confused, and embarrassed, when this occurs - author's conversations with staff.

[186]It is normally only the recruit who addresses the CPO as 'Sir'. After a few months service he addresses and is addressed by the CPO on an informal basis.

[187]Stoner et al, op.cit.

The maintenance of a stable workforce does not necessarily mean that the organisation functions efficiently. The economic climate, lack of qualifications, and a better-than-average salary, have resulted in very little staff turnover at Risdon Prison for over a decade, apart from the normal retirements. This has had a three-fold effect on the prison: lack of upward mobility for staff; inertia; and an entrenchment of custodial practices. The lack of promotional opportunities has already received comment. The failure by many of the long-serving officers to attain a higher rank in the system, encourages disillusionment, and strengthens the intertia currently prevalent at Risdon Prison.

Although many recruits view security of tenure and financial reward as the principal benefits of working in the prison, once the probationary period is completed the average recruit is ambitious to advance through the system. His aspirations however are not reciprocated by the majority of the long-serving staff who have become disenchanted with a system that fails to match reality with rhetoric. The oft-discussed in-service training does not occur except when used as a precursor for the SPO promotional examination. Arbitrary use of acting SPO positions has been a constant source of complaint with some officers working as SPOs whilst others continue normal base-grade posts (see Figure 1) but receive the acting allowance. Some officers accept this situation philosophically. Others work as much overtime as possible and use sick leave entitlements.

In Risdon Prison, the stability of the staff is not necessarily a positive attribute. As indicated earlier, a number of unsuitable staff have been given tenure. This creates problems for management because of

the TPOA policy of rotating rosters. Some CPOs have claimed that when incompetent officers are on shift work they require almost constant surveillance.[188] If one of these officers is posted to the Divisions on the rotating roster (see Figure 1), the inmates are certain to secure an advantage.[189] Of more serious concern, and a direct result of apathy and inertia, is the growing divergence between management goals and prison practice.

Management has consistently tried to liberalise the custodial nature of the prison and, in comparison with the custodial practices of the early 1960s, has succeeded in effecting change. The TPOA, however, has opposed change, partly through lack of consultation, but mainly from the perspective that liberalisation diminishes control by the officer.[190]

> The management of Risdon Jail was yesterday accused of being 'increasingly slack' in its attitude towards prisoners and of causing a threat to discipline.[191]

Paradoxically, the union wishes to be officially involved in reforming practices but only if the change benefits the Union and not the inmates. TPOA policy may influence individual officers, although it is more likely that their antipathy to change arises from the custodial nature of their work. Officers are also aware that strict adherence to the custodial practice will be recognised by the CPOs as a positive attribute. Some of the long-serving officers use custodial rules and

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[188]Author's conversation with CPOs.

[189]ibid.

[190]Interview with TPOA spokesman, 23.12.87.

[191]The Mercury, 2.10.87.

regulations as a device to control their own work practices, adhering sufficiently to the guidelines to satisfy senior management scrutiny, but failing to address adequately the fundamental entitlements of the inmate. These practices accentuate the custodial interaction between officers and inmates and, unfortunately, as new officers rely on experienced staff for advice, prejudices are passed on, and practices are perpetuated.

Staff Leadership Qualities 5:13

Human resources can be an organisation's most valuable assets. To determine leadership qualities,

> Subordinates should be given the freedom to conceive and carry out their plans, even though some mistakes may result.[192]

A progressive management staff should encourage subordinate initiative. However, the very nature of the prison situation - with its Prison Act, Statutory Rules, and Standing Orders - militates against any show of initiative by subordinate staff. Routines are covered by regulation and contingencies are set out in Standing Orders.

> It is not possible to set out in detail what actions should be taken in every conceivable emergency situation. However, officers are reminded tht their prime duty is to secure the security of the prison and the safety of their fellow officers and inmates and that they are to report immediately any matter which appears likely to affect or hazard security or safety.[193]

The concept of initiative is further discouraged by Section 97 of the Statutory Rules which states that a

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[192]Stoner et al, op.cit.

[193]DSO, p.1.

> prison officer shall obey all lawful instructions given to him by the prison officer under whose immediate control he is placed.[194]

This section, in effect, is used by senior staff to ensure that prison practice is routine and ordered.

Since the establishment of the Law Department, and the resulting Corrective Services Division, delegation of authority and decision-making by senior management has been limited. The centralisation of power within the prison has been entrenched in the senior managerial positions by the creation of a new position and the apparent lack of desire to fill a previous senior post. Prior to the promulgation of the Corrective Services Division the sequential promotion steps, under the Prison Officers Award, were P/O, SPO, CPO, PPO and Deputy Superintendent (the Superintendent position was in another award). The creation of the Prisons Division issued in an upgrading of the senior posts to Chief Superintendent and Deputy Chief Suerintendent. A new Chief Superintendent was appointed and the Deputy Suerintendent was promoted to Deputy Chief Superintendent leaving the Deputy position vacant. This vacancy has been joined by two others that is, Deputy Chief Superintendent[195] and PPO,[196] and no appointment has been made to the position of Director of Corrective Services.[197] At present the Chief Superintendent answers to an Acting Director and has

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[194]Statutory Rules, 1985, No.172, Part XVII, 97.

[195]Resigned to return to NSW

[196]Retired.

[197]The position will not be advertised until April 1988.

CPOs acting as Deputy Chief Superintendent and PPO.[198] The Law Department used the State Services Act to advertise the Deputy Chief Sueprintendent's position on a temporary basis although the previous incumbent had given two months notice to facilitate the appointment of a successor. By using this tactic, the Law Department has forstered hostility to, and suspicion of, senior management's motives. The failure to fill the Deputy position in particular has created a vacuum between the middle and senior levels of management and led to restrictive practices especially at the CPO level.

Middle management has been discouraged from showing initiative by directives from superiors which countermand their orders.[199] CPOs are reluctant to make decisions beyond the normal shift routine and depend on senior advice when some unforeseen situation occurs. This attitude has flowed on to those SPOs who are sometimes rostered in an Acting CPO capacity and are unwilling to jeopardise their chances of achieving promotion. The lack of initiative at base-grade level is demonstrated by refusal to apply for promotion, abuse of sick leave, and reliance on the custodial aspects of the position.

Conclusion 5:14

There appears to be a continuing lack of clear direction by those charged with formulating prison policy in Tasmania. TPOA fears that weak managerial practice can lead to inmate unrest[200] have been

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[198]Four CPOs will rotate on a three week basis as PPO and Deputy Chief Superintendent until at least March 1988.

[199]Conversations with CPOs by author.

[200]Refer to The Mercury, 2.10.87.

substantiated by occurrences in mainland institutions.[201] Their fears have not been allayed by the issuing of standing orders to deal with hostage situations.[202]

Until the Government gives a firm directive as to the purpose of imprisonment, the uncertainty prevalent in Risdon Prison will remain.[203] New recruits are still trained in the old custodial practices,[204] and those who seek promotion to vacant senior positions are graduates of a similar practice. The introduction of outsiders to senior positions is subject to constraints as invariably the incumbent takes time to adjust and win acceptance from the other ranks.[205]

The Government must publicly declare a policy for the maximum security prison at Risdon. When and if this policy is promulgated, the Law Department should determine the criteria upon which prospective senior managerial personnel are to be selected. The policy should also be reflected in base-grade recruitment and training. Current ad hoc management practices based on an unclear prison philosophy, combined with present training and work practice, may yet issue in industrial unrest or inmate insurrection.

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[201] Riots have taken place in both WA and Queensland Prison Systems.

[202] Law Department, CSD E7A

[203] Interview with D Hornibrook, former Controller of Prisons, 6.1.88.

[204] See recent training programme in Appendix.

[205] The former DOCS took two years to be accepted when appointed to the old Deputy Governor rank - Howe, op.cit.

CONCLUSION

Despite claims to the contrary[1] the management of any prison or prison system is not determined by, or subject to, public scrutiny. It remains firmly in the hands of a few senior level public servants. Politicians may be called to respond to claims of mismanagement and issue statements regarding policy and practice. However, when the prison has ceased to become 'newsworthy', the routine of daily prison life continues. Sometimes, as a result of negative publicity, cosmetic changes are made. Invariably such innovations give way to the practice best understood by the majority of those who work in the system - custody.

The philosophical gap between those who administer the system and those who manage can best be understood in the context of Government policy or lack of it. In the Tasmanian example, the failure by Government to formalise its prison policy has added to the difficulties of managing a 20th Century prison which effectively maintains 19th Century principles. The difficulties of changing a conservative prison staff have already been noted by Thomas.[2] As long as prison officer training emphasises the custodial nature of the task, the cleavage between a liberal management and a conservative staff will be large - as the Risdon situation demonstrates.[3] The management of the prison system can be an exacting experience for the most capable of administrators. The role, however, could be less stressful if objectives were clearly defined, and some western Governments have made this commitment.

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[1]For example, see Hawkins, op.cit.

[2]Thomas, in King and Morgan, op.cit.

[3]See, for example, the Tasmanian Prison Officer training schedule in the Appendix.

There is an increasing recognition by some jurisdictions that the main function of imprisonment is the segregation from society of the offender.[4] The English authorities have adopted this principle as policy, and have declared that some prisons will be used for 'humane containment':

> According to such an approach imprisonment justifies only that degree of interference required to achieve separation from the rest of the community: all remaining rights should be safeguarded .... [n]ormalisation requires that conditions within prison approximate as closely as possible to those outside and would encourage the retention of the rights and duties normally pertaining to free individuals.[5]

English prison managerial techniques and practices are based on the 'humane containment' concept.[6]

Coyle, in his major work on the Scottish Prison System, is convinced that until authorities accept that the prison's primary function is to contain offenders in a duly controlled environment, the uncertainty in the past two decades caused by divergent perceptions will lead to further disruption.[7] He suggests that authorities have placed a greater emphasis on secondary goals such as treatment programmes, to the detriment of morale in both staff and inmates.[8] The policy of the Scottish Prison System is clearly defined:

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[4]Richardson, G, "The Case for Prisoners' Rights" in Maguire et al op.cit., pp.23-24.

[5]Maguire et al, op.cit., p.24.

[6]Discussion with Tom Abbot, Director of Prisons, Office of Corrections, Victoria who is seconded from the English Prison System for three years.

[7]Coyle, op.cit.

[8]ibid.

> Inmates of prisons, or other types of penal establishments in Scotland are punished by the courts by being deprived of their liberty. It is the duty of the Scottish Prison Service to contain them within secure conditions appropriate[9] to their needs.[10]

Goals and objectives in prisons are, invariably, subject to criticism. On the one hand, there is the lobby who view the contemporary prison as being too liberalised, whilst on the other, there are those who demand action to curtail crime and reduce recidivism rates. At the centre of these extremes, the prison administrators and managers attempt to provide a service which balances both points of view. Unfortunately, this middle of the road approach has little chance of success. Initially, the prison manager is constrained by conflicting goals and philosophy: custody versus treatment. If he pursues a purely custodial function, he opens his system to accusations of a Victorian 'lock them up and leave them' mentality. If he pursues the treatment approach, he risks reaction from a staff who claim that security is being disregarded. Moreover, it may not be possible to quantify the success of treatment.It serves little purpose for him to claim that recidivism rates have been lowered due to particular philosophies or programmes. Cressey, for example points out that

> there are numerous external conditions [which] affect recidivism rates making it impossible to correlate either high or low rates with organisational activities.[11]

The mechanics of societal normalisation are as yet imperfectly understood, but prison management has accepted that some concessions

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[9]Author's emphasis.

[10]The Scottish Penal System, Factsheet 18, Scottish Information Office.

[11]Cressey, in March, op.cit., p.1038.

have to be made towards change in prison practice.

The trend, however, to label our prisons and prison services as correctional institutions and correctional services when nothing has changed shows the governmental dilemma. Mitford points out that in order to understand the modern prison system "one must master the new terminology".[12] Commenting on the Attica Commission Report, 1965, she maintains that the committee's major accomplishment was to change the names of all the state's maximum security prisons:

> Effective 8 July 1970 ... there were no more prisons, in their places, instead, stood six maximum security 'correctional facilities'. The prison wardens became 'institutional superintendents' ... and the old line prison guards .. (suddenly) became 'correctional officers'.[13]

'Institution' may have been deliberately substitutted for 'prison' because of its relatively neutral connotations.

It is suggested that the first step in establishing stabiity within Risdon Prison is for the Government to recognise the prison as servicing one primary function - containment. All other goals of imprisonment can then be ranked in order of importance. A policy document would not only establish Government intention but would assist in determining a prison routine - which is fundamental to the prison's stable operation. It could also be of advantage to the establishment of the managerial functions and benefit those who determine managerial choice. Risdon senior management would have a policy by which guidelines could be set

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[12]Mitford, J, The American Prison Business, London: 1974, Allen & Unwin, p.5.

[13]ibid.

to direct both staff and inmates. Containment does not necessitate the return of the principle of retribution.[14] A written policy would also estabish a training programme designed to accommodate the changing role of the prison officer.

Chapter II discussed the role of the prison manager and presented profiles of both English and American incumbents. It was suggested that Australian prison management recruitment was largely an 'in-house' venture based upon the 'seniority' principle. The Tasmanian experience has been to recruit senior managers who have a military background. While this military background could be deemed appropriate for a custodial regime, it is unlikely to be adequate for the management of a changing system. It has been claimed that administrative competency is paramount for the organisation's success:

> In the lower ranks, professional competence is most important; in the higher, administrative competence is dominant, the more so the larger the organisation. If the workmen [prison officers], the foreman [CPOs] ... lack technical competence, the technical capacity of the whole business is weakened; on the other hand, it is not essential that these agents be perfect administrators. But if the managing director and other top executives [senior prison management] lack administrtive capacity, the administrative capacity of the whole enterprise is reduced, little by little, to zero.[15]

Risdon senior management training has consisted of 'on-the-job' experience. It would appear that this tradition will be continued. Answering a questionnaire on the identification of potential prison managers within the system, the Tasmanian reply was they did not

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[14]Chappel, D, (Director of the Australian Institute of Criminology), The Mercury, 20.10.87, p.15.

[15]Fayol, in Dole, op.cit., p.142.

specifically identify potential leaders with the aim of developing them as future managers.[16] The upward mobility in career of the CPOs was effectively questioned with a negative answer to the question on the necessity of holding prison rank prior to being appointed to senior managerial grades.[17] Further, the successful appointee neither required experience as an assistant prison manager, nor needed to complete a "course for Prison Governors".[18] Additionally, the career development programme for prison managers was "based on practical experience".[19] Finally, the prerequisites for a senior manager in the Tasmanian Prison System would appear to be

> High school graduation plus a broad experience in administration and staff management.[20]

The Office of Corrections in Victoria has formulated a policy designed to train prison managers, and the first course for prospective prison managers has now been put into operation. The prescription for entry to this course is at least one year's experience as a base-grade officer with above average educational qualifications:

> Recruitment strategies must be developed and coordinated centrally, and must be proactive, ongoing, and include targeting of specific areas which are consistent with the job task/skill analyses (for example, targeting of trade qualified people with supervisory experience and of tertiary qualified graduates)...[21]

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[16] Prison file 7/1/18, sec.A, Q.1.

[17] ibid, Sec B, Q.12.

[18] ibid, Sec B, Q.14.

[19] ibid, Sec B, Q.17.2

[20] ibid, Sec B, Q.17.1.

[21] Work Force Planning and Training Plan, Office of Corrections, Victoria, 1986, p.10.

The Victorian training programmes are a tacit admission that the previous policy of using the 'seniority' principle has failed to accomplish the task of choosing those who will manage their prisons. Likewise Tasmanian authorites should be cognisant of other systems managerial problems experienced in other systems and the methods used for their resolution.

Although the Tasmanian prison system is small compared to other State and National systems, it is suggested that a programme be implemented to identify potential managers in the system, and to train them towards managerial level. Applicants should be encouraged to participate in educational courses at either intermediate or tertiary level to gain qualification in the social sciences and the generic field of management. Further practical experience can be gained by utilising the Governor programmes offered by, for example, the Office of Corrections Staff Training College in Victoria. The ad hoc managerial selection process currently used in Tasmania may only accentuate the differences between philosophical aim and management practice. However, it may well be that the notion of management of Tasmanian Prisons has never been seriously questioned. Tasmania's prison system does not suffer the overcrowding problems endemic in other states. Inmate and staff discontent are minimal when compared with other Australian jurisdictions, and staff stability is above average when compared with Victoria and NSW. However, as Fayol commented

> ... it would be a gross error to conclude that success is always a sign of good administration.[22]

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[22]Fayol, in Dole, op.cit., p.141.

The leadership qualities required for middle managerial ranks at Risdon must be clarified. As noted in Chapter IV (4:1) the present incumbents have all progressed to their present position on the 'seniority' principle. All have spent the major part of their prison service in a custodial-oriented regime. As senior management did not provide in-service management training, the CPOs, with one exception, have no qualification apart from experience. In the former Prisons Department, CPOs were the 'bosses' on a daily shift basis. Their role was clearly defined, and duties specifically laid out. Since the prison's absorption into the Law Department the custodial nature of the prison has slowly been changed, with a greater emphasis placed upon the 'human relations' approach. The changing nature of prison functioning has materially affected the CPOs. As Perrow has noted:

> Leadership is highly variable or 'contingent' upon a large variety of important variables such as nature of task, size of the group, length of time the group has existed, type of personnel within the group and their relationships with each other, and amount of pressure the group is under.[23]

The liberalising of the prison operation has unveiled the inadequacies of a middle management team trained and entrenched in custodial routine. It would appear that this custodial trait will be enhanced by the CPOs of the future.

The lack of a promotion examination for the CPO rank makes experience the major prerequisite. The hierarchical prison structure makes it unlikely that a base-grade prison officer will be directly promoted to CPO. Thus, in the near future, the CPO ranks will be filled from the

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[23]Perrow, in Dole, op.cit., p.166.

SPO position. It was pointed out, however, that few of the SPOs wish promotion - for essentially financial reasons (see Chapter IV). Those who wish promotion see in current CPO practices the style and approach necessary to achieve the rank. The potential CPOs mirror their performance on the present incumbents while serving in the Acting CPO capacity on the premise that the CPOs are providing adequate leadership. This may be faulty logic. As Perrow saliently notes

> ... we have learned that beyond the threshold of adequacy it is extremely difficult to know what good leadership is.[24]

Concomitantly, the CPOs will only choose those applicants who mirror their notion of the role, and of the prison operation.

It is suggested that a promotional structure be implemented from base-grade up to and including the Deputy Chief Superintendent position[25] by open competition examination. Whilst it is beyond the scope of this thesis to address the issue, some thought should be given to liaison with the Hobart Technical College, Tasmanian Institute of Technology, or University of Tasmania in the determination of an acceptable level of qualification for each grade. This would serve a two-fold purpose: first, it would encourage those within the system to work towards a career; second, and more important, management would be able to bypass the 'deadwood' and have a pool of suitably qualified applicants. Thus, it would end the 'seniority' principle, with promotions being based on merit. However, this does not address the issue of the entrenched SPOs.

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[24] ibid.

[25] This position is still under the Prison Officers Award - the necessary prerequisite being five years satisfactory service as a prison officer and the successful completion of an approved Senior Prison Officer examination but is now in the Administrative and

As there are a number of SPOs who are either unwilling or incapable of being promoted, a new rank structure must be created. Since the SPOs' average age is nearly 50 years (see Figure 2, Chapter IV) this precludes an early change of personnel in this rank. Apart from demoting those who do not wish promotion, the authorities are left with two choices: create a new rank between SPO and CPO or introduce the Victorian concept of 'fast track' legislation enabling those base-grade officers capable of being promoted to bypass the hierarchical and service constraints at present prescriptive for promotion.[26]

A new rank structure of 'Assistant' or 'Deputy' Chief - open by examination to those who have passed the SPO examination (nearly 80% of base-grade staff) - could provide the mechanism for management to have an available pool of prospective CPOs. Promotion to CPO would naturally come from this new rank. However, there should be some in-built provisos that those who reach this rank must be willing to apply for further promotion. If they are unwilling to do this, they can thus be demoted. A corollary of the position would be added responsibility commensurate with the rank.

The industrial climate at the prison gives present cause for concern. It would appear that the managerial prerogative has been abrogated in favour of managerial acquiescence. The overt militancy of the TPOA has been encouraged by a lack of managerial resistance. Indeed, the TPOA

Clerical Officers Award.

[26]A base-grade officer must serve five years before being eligible to sit the SPO promotional examination.

have acknowledged the lack of industrial acumen presented by management during negotiations.[27] Perhaps this is a byproduct of the former Prison Department era when the former Controller conducted negotiations with the TPOA. It should be mentioned that during his tenure there was little industrial unrest. However, the changeover from Department to Divisional status transferred negotiation from management to Officers from the Law Department. Effectively this has meant that Risdon senior management only handle minor problems. Since 1984 major industrial decisions affecting the prison have been made in Head Office. The TPOA has, justifiably, complained that they, in negotiating with Head Office, are dealing with people who have little, if any, practical knowledge of grass root prison operation.[28] In the contemporary industrial climate it is naive to assume that senior management incumbents can learn industrial relations techniques without expert tuition. The TPOA makes use of the Tasmanian Union Training Authority's (TUTA) expertise in providing regular trade union negotiating skills courses. It would seem paramount that senior management be given similar consideration.

Risdon senior management can alleviate most staff and inmate discontent, and maintain control of the prison, by introducing the concept of Functional Unit Management (FUM). This is described as

> an organisational style which decentralises and therefore flattens the administrative structure of a prison ... Although Functional Unit Management (FUM) was initiated as a tool of classification and rehabilitation,it is proposed that the historical shift in goal orientation in corrections has mandated that the contemporary focus of FUM be the goal of 'humane control'. The decentralised, team-oriented, approach of Functional Unit Management is

[27]Interview with TPOA spokesman.

[28]ibid.

> appropriate in the field of correctional administration and the goal of humane control.[29]

This type of concept was hinted at by Grubb during his investigation of the Tasmanian Prison System.[30]

Some functional specialisation already exists at Risdon (see Chapter V), but the TPOA policy of a 'rotating roster' precludes further development. This policy, however, is based on the notion that any prison officer can do any of the required duties at the prison. It is suggested that this assumption is illfounded and naive. There is ever increasing evidence that many systems are turning to the unit concept as a means of advancing staff job satisfaction, and inmate adjustment to prison life.[31] As Janus reports:

> The major advantage of unit management is that it increases the frequency of contacts and the intensity of the relationship between staff and inmates, resulting in.
>
> a) better communication and understanding between individuals
>
> b) more individualised classification and programme planning.
>
> c) more valuable programme reviews and programme adjustments of problems before they reach critical proportions.
>
> d) development of common goals which encourage positive unit cohesiveness, and
>
> e) generally, a more positive living and work atmosphere for staff and inmates
>
> f) more efficient accountability and control of inmates.[32]

[29]Janus, M, "Functional Unit Management: An Evaluation of Organisational Effectiveness in the Federal Prison System", US Department of Justice, 1982.

[30]Grubb Report, op.cit, pp.11-12.

[31]For example, see Janus, op.cit., Coyle, 1985 & 1986, op.cit., and Egge, P M, The United States Prison System, Report of 1983 Winston Churchill Fellow, Sydney, NSW (Unpublished), Boyle, op.cit.

[32]Janus, op.cit., pp.4 - 5

It is suggested that the present divisions A - F could be used as units. Inmates could be classified to each division or unit which would have a permanent staff. Management may even introduce an incentive scheme whereby varying degrees of privileges are given to each unit. The inmate could progress from one unit to the next on the basis of his performance and attitude. By having a permanent crew in each unit, management would be both able to decentralise decision-making and appraise the officer's unit performance. It is suggested that officers posted to those units would be provided with training appropriate to the unit's function. These units would also provide an ideal training ground for potential senior managers.

It is as yet unclear whether the absorption of the prison into the Law Department has been successful. Apart from several changes in senior position titles, and the centralisation of authority, nothing has changed. The prison is still the prison. The combining of probation and parole with the prison to form a 'corrective services' division has similarly meant little. Probation Officers do not wish to work in the prison's confines[33] and similarly prison officers have no wish to work in probation.[34] The failure of this approach has been adequately covered by Fiori.[35] Again, the lumping together of the 'Criminal Justice' components has met with harsh criticism.[36] The retitling of

[33]Discussions with visiting probation officers.

[34]Comments from prison staff.

[35]Fiori, op.cit., especially the 'Introduction'.

[36]See Mitford, op.cit.

prisons as 'Correctional Centres' is a purely cosmetic exercise.[37] It is difficult, however, to change a Government policy once implemented.

The decision to create the present Law Department was taken in the late 1960s.[38] The then Attorney-General intended to implement a combined system of Crown Law Departments Probation and Parole, and the Prison, on a rather similar American model which was thought to work successfully.[39] However, by the time he had regained office in the early 1980s, this concept had proved a failure with respect to its correctional component. Many united systems reverted to separate entities during the mid 1970s.[40] Indeed, the originator of the combined correctional departments, the English Prison System, separated the functions in the early 1970s;[41] and Scotland soon followed suit.[42]

It is suggested that the Prison be separate from probation and parole and become either a Department in its own right, or a separate Division within the Law Department headed by a Director of Prisons. The latter should have direct access to the Minister.[43] He should have a full mandate to manage and direct those in his charge, and he should be

[37]ibid.

[38]Interview with E M Bingham.

[39]ibid.

[40]For example, see Fox, V, op.cit., Ch.6.

[41]See Thomas (1972), op.cit.

[42]Coyle (1986) op.cit.

[43]Interview with H J Howe, op.cit.

provided with sufficient staff and finance to implement strategies and programmes.

Risdon Prison practice has not been subject to many mainland and overseas influences. In its favour the prison has a low occupancy rate, and its conditions may be favourably compared with most other Australian Prisons. While progress towards liberalisation has been relatively slow the inmate can be cared for and protected more readily because of smallness of scale. The smallness of scale, however, is a disadvantage because of the limited number of areas to place inmates. The 'short timer' is received, classified, allocated to work, and released, in a matter of months. The long-term inmate - and per capita Tasmania has a large number of Life Sentences - will over several years probably work in most of the industries. If he becomes frustrated with the system he could react against the staff. Staff are not trained in any meaningful fashion (see Appendix A). Perhaps, because of the small scale, the reciprocity between staff and inmates is more positive than in other institutions. However, the familiarity syndrome does not compensate for adequate staff training, at all levels.

Risdon Prison, and the Tasmanian Prison System although geographically isolated must not be attitudinally insular, or considered in isolation. Those in charge must be cognisant of the programmes and policies of other systems and evaluate their applicability to Risdon Prison. Forward planning is a managerial priority.

The conclusions reached by this study are by no means negative. As Coyle comments on the Scottish Prison Service, the

compact nature of [Risdon Prison] is a singular advantage. Lines of communication are short, anonymity is not possible and accountability is an option. The structural weaknesses which ... have [been] identified can be discussed and, if accepted, can be remedied.[44]

[44]Coyle (1986) op.cit., p.220.

RECOMMENDATIONS

1. That the Tasmanian Government introduce a written prison policy.

2. That the Tasmanian Prison System identify potential prison managers and provide specialised training.

3. That the Tasmanian Prison System upgrade middle-management qualifications.

4. That provision is made for CPO promotion examinations.

5. That either a new rank is introduced between SPO and CPO, or 'fast-track' legislation is produced to promote on the basis of merit, rather than seniority.

6. That the Law Department provide industrial relations training to senior level management.

7. That the Tasmanian Prison Authorities introduce Unit Management at Risdon Prison.

8. That the Prisons Division become a separate identity with either Divisional or Departmental status and with the Director of Prisons being directly responsible to the Minister.

APPENDIX A

PRISON OFFICER'S TRAINING COURSE
Week 1 7/12/87

Date	Time	Activity	Personnel
Monday 7.12.87	9 am	Class Assembles at Main Gate	CPO Stalker
	9.15 am	Address by Chief Superintendent	Mr Harvey
	10.15 am	Issue of Uniforms	Storeman
	12 noon	Conditions of Service	Mr I Abbott
	1 pm	Lunch	
	2 pm	Training Films	CPO Stalker
Tuesday 8.12.87	8 am	Locations of Posts	CPO Stalker
	10 am	Physical Training	Mr Wright
	11 am	Records	CPO Stalker
	12 noon	Role of Prison Officer	CPO Stalker
	1 pm	Lunch	
	2 pm	Female Prison	Supt McGregor
	3 pm	Training Films	CPO Stalker
Wednesday 9.12.87	8 am	Labour Parade	Duty CPO
	9 am	Law Department - structure	Mr Patmore
	11 am	Chief Sup. Requests	Chief Supt
	12 noon	Meal Parade	Duty CPO
	12.30 pm	Lunch	
	1.30 pm	Drug Squad	Drug Officer
	4 pm	Physical Training	Mr C Wright
Thursday 10.12.87		Off Duty	
Friday 11.12.87		Off Duty	
Saturday 12.12.87	6 am to 2 pm	Duty Posts Weapon Handling Tear Gas & Range Practice	Duty CPO CPO Stalker CPO Stalker
Sunday 13.12.87	6 am to 2 pm	Shift Procedure Security/Trafficking Standing Orders Handcuffs/Restraint Belts	Duty CPO CPO Burgess CPO Stalker

PRISON OFFICER'S TRAINING COURSE
Week 2 14/12/87

Date	Time	Activity	Personnel
Monday 14.12.87	2 pm to 10 pm	Classification Showers Procedure Shift Procedure	Chief Supt CPO Stalker CPO Stalker
Tuesday 15.12.87	9 am to 5 pm	First Aid	St Johns Ambulance
Wednesday 16.12.87		Off Duty	
Thursday 17.12.87	9 am 12 noon 1 pm 2 pm 3.30 pm 4.30 pm	Self Defence Meal Parade Lunch Classification Report Writing Lock-up Parade	 Duty CPO Chief Supt. Mr Hanson Duty CPO
Friday 18.12.87	8 am 8.30 am 10 am 11.30 am 1 pm 2 pm	Labour Parade Standing Orders Psychology Prisoner's Aid Lunch Self Defence	Duty CPO CPO Stalker Mr Harrington-George Mr Batchelor
Saturday 19.12.87	6 am to 2 pm	Shift Procedure Visiting Box Internal Phones Standing Orders	CPO Stalker
Sunday	6 am to 2 pm	Shift Procedure Duty Posts Remissions Prison Regulations	CPO Stalker

PRISON OFFICER'S TRAINING COURSE
Week 3 21/12/87

Date	Time	Activity	Personnel
Monday 21.12.87		OFF DUTY	
Tuesday 22.12.87	8 am	Labour Parade	Duty CPO
	9 am	Self Defence	
	12 noon	Meal Parade	Duty CPO
	1 pm	Lunch	
	2 pm	Prisoner Behaviour	Dr Lopes
	4 pm	Meal Parade	Duty CPO
		Lock up	
Wednesday 23.12.87	8 am	Labour Parade	Duty CPO
	9 am	Self Defence	
	12 noon	Standing Orders	CPO Stalker
	1 pm	Lunch	
	2 pm	Searching	CPO Stalker
	3.45 pm	Cease Labour Parade	Duty CPO
	4 pm	Meal Parade	Duty CPO
		Lock-up	
Thursday 24.12.87	7 am	Alarms	Security
	8 am	Revision	CPO Stalker
	10 am	Fire Appliances	Fire Officer
	12 noon	Meal Parade	Duty CPO
	1 pm	Lunch	
	2 pm	Duty Posts	Duty CPO

PRISON OFFICER'S TRAINING COURSE
Week 4 18/1/87

Date	Time	Activity	Personnel
Monday	8 am	Labour Parade	CPO Stalker
18.1.88	9.15 am	Criminal Court	CPO Stalker
	12 noon	Meal Parade	CPO Stalker
	2 pm	Classification	Chief Super.
		Showers	
		Duty Posts	
Tuesday	8 am	Standing Orders	CPO Stalker
19.1.88	9 am	Prisoner Canteen/Hobbies	Mr C Wright
	10 am	Prison Regulations	CPO Stalker
	11 am	AIDS - lecture	Mr G Stevens
	1 pm	Lunch	
	2 pm	Prisons - Psychiatry	Dr Lopes
Wednesday	9 am	Probation/Parole	Mr M Cordwell
20.1.88	11 am	Prison Welfare	Mr W Paterson
	12 noon	Meal Parade	Duty CPO
	1 pm	Hayes Farm	CPO Hodge
	4 pm	Meal/Lock-up Parades	Duty CPO
Thursday	9 am	Standing Orders	CPO Stalker
21.1.88	9.30 am	Ombudsman	Mr R Willee
			Mr Green
	11 am	Reporting of Posts	CPO Stalker
	11.45 am	Cease Labour/Meal Parades	Duty CPO
	1.15 pm	Lunch	
	2 pm	Standing Orders - Prison Regulations - Revision	CPO Stalker
Friday	6 am	Shift Procedure	Duty CPO
22.1.88	9 am	Address/Discussion - A/Director	Mr P Patmore
	10 am	Searching	CPO Stalker
	11 am	Revision	CPO Stalker
	12 noon	Examination	CPO Stalker

APPENDIX B

PRISONS DEPARTMENT, TASMANIA

SENIOR OFFICERS' TRAINING COURSE

17.11.80

Date	Time	Activity	Personnel	Venue
Monday	9 am	Official opening	Mr Hornibrook	Conf.Rm
17.11.80	9.20 am	Remissions	Mr Stalker	Conf.Rm
	11 am	Gov Standing Orders	Mr Stalker	Conf.Rm
	2 pm	Training Films	Mr Stalker	Conf.Rm
	3.30 pm	Parole & Prison Act	Mr Howe	Conf.Rm
Tuesday	9 am	Self Defence	Mr Nakajima	Rec.Rm
18.11.80	11 am	Mental Health	Dr Hoddle	Conf.Rm
	2 pm	Maths	Mr Perry	Schoolroom
	3 pm	English	Mr Perry	Schoolroom
	4 pm	Welfare	Mr McEwan	Conf.Rm.
Wednesday	9 am	Remissions	Mr Stalker	Conf.Rm
19.11.80	10 am	Records	Mr Stalker	Conf.Rm
	11 am	Sup.Requests	Mr Howe	D/Sup Office
	12 noon	Reception Procedures	Mr Stalker	Reception
	2 pm	Gov.Standing Orders	Mr Stalker	Conf.Rm
	3.30 pm	Portable radios	Mr Hanlon	Conf.Rm
	4 pm	Duplicate key safe	Mr Smith	Main Gate
Thursday	9 am	Self Defence	Mr Nakajima	Rec.Room
20.11.80	11 am	Ombudsman	Mr Dixon	Conf.Rm.
	2 pm	Classification	Mr Howe	D/Sup Office
	3 pm	Probation & PS Reports	Mr McEwan	Conf.Rm
	4 pm	Handcuffs & Restraint	Mr Barwick	Rec.Rm
Friday	9 am	Vol.Organ.Prisoners'Aid	Mr Batchelor	Conf.Rm
21.11.80	10.30am	Remissions	Mr Stalker	Conf.Rm
	12 noon	Prison Hospital	Mr Barrell	Pris.Hosp.
	2 pm	Maths	Mr Perry	Schoolroom
	3 pm	English	Mr Perry	Schoolroom
	4 pm	Bails & Appeals	Mr Howe	Conf.Rm

APPENDIX B

PRISONS DEPARTMENT, TASMANIA

SENIOR OFFICERS' TRAINING COURSE

24.11.80

Date	Time	Activity	Personnel	Venue
Monday	9 am	Govt Standing Orders	Mr Stalker	Conf.Rm
24.11.80	10 am	Remissions	Mr Stalker	Conf.Rm
	11.30 am	Parole Board	Mr Roach	Conf.Rm
	1.30 pm	Drug Squad	Sgt Belbin	Conf.Rm
	4 pm	Prison Regulations	Mr Stalker	Conf.Rm
Tuesday	6 am	Shift Procedure	Duty CPO	
25.11.80	9 am	Maths	Mr Perry	Schoolroom
	10 am	English	Mr Perry	Schoolroom
	11 am	Rifle Range/Tear Gas	Mr Stalker	Rifle Range
Wednesday	9 am	Medium Security	Mr Stalker	Med.Sec.
26.11.80	10 am	Remissions	Mr Stalker	Conf.Rm
	11 am	Fingerprinting	S.Con.Woolley	F/print Room
	12 noon	Closed circuit TV	Mr Stalker	TV Room
	2 pm	Fire Fighting appl. & Training films	Mr Cochrane	Conf.Rm
Thursday	9 am	Maths	Mr Perry	Schoolroom
27.11.80	10 am	English	Mr Perry	Schoolroom
	11 am	Govt Standing Orders	Mr Stalker	Conf.Rm.
	12 noon	Remissions	Mr Stalker	Conf.Rm
	2 pm	English Exam	Mr Perry	Schoolroom
	4 pm	Duties of CPO	Mr Stalker	Conf.Rm
Friday	9 am	Maths Exam	Mr Perry	Schoolroom
28.11.80	10.45 am	Penology Exam	Mr Stalker	Schoolroom
	2.30 pm	Course Discussion	Mr Howe	Conf.Rm.

APPENDIX C

ADVERTISEMENT: OPEN LETTER TO THE SHADOW MINISTER FOR LAW

The Tasmanian Prison Officers' Association is insulted and appalled by statements made by Mr R W Baker as reported in The Mercury (9 July) and in a television interview. [1976]

We remind Mr Baker that when his party was in power their attitude was one of rehabilitation and the Gaol Farm must surely meet his requirements in that direction. It is acknowledged that most "escapes" occur from the Farm but does Mr Baker now suggest the Farm is surrounded with high fencing. This must conflict with his party ideals. The Prison Service does not "lose" prisoners; and furthermore all abscondings are reported within minutes of their occurrence.

There have been no escapes from the maximum security of Risdon Prison for several years.

There have only been two escapes from the Royal Hobart Hospital in the last twelve months, including this latest incident which has apparently given rise to the newfound desire to "knock" the Service. If Mr Baker is aware of all the features surrounding the security of an "infectious" prisoner he may have been less vocal on this occasion. We are not pleased with, nor excusing ourselves in this matter, but again Mr Baker should be aware of this Association's efforts to improve security at the Hospital.

There have not been 40 escapes as was stated in the media. In fact the total number of individual escapes is about half that number and if

one considers the concept of "group escapes" the number is reduced to 14. Some of the cases are still sub judice and therefore we will not pursue them here.

Mr Baker must realise that his statements do nothing to maintain morale in the Prison Service. Furthermore, they do little to maintain prisoner morale amongst the vast majority of inmates for whom there is no need to "double the guard".

Apparently Mr Baker wants the service to be directed towards rehabilitation, but at the same time criticises the service for "losing" prisoners. Take both of your ideals to logical conclusions Mr Baker and you will realise that the two propositions became mutually exclusive.

This Association is proud of its record and all its members - the Minister and the Controller are assured of our continued loyalty and support, whoever they may be. Escapes from penal institutions are an unfortunate fact of life and the record of the Tasmanian Prison Service compares with any other Service.

We shall continue to function effectively and efficiently but our job will be much easier if we do not have to suffer the almost continual "knocking" from persons who should really know better.

F H HINES, SECRETARY.

APPENDIX D

LAW DEPARTMENT OF TASMANIA

Educational Entrance Test for Prison Officers

The total time permitted will be 1½ hours for English and Mathematics. BOTH subjects must be completed in this time.

Start with whichever paper you choose, but you must answer the English on separate paper from the Mathematics. Total time for these papers is 1½ hours. Dictation will be in addition to this time.

Mathematics: Entrance Test for Prison Officers

Be sure to number or letter your answers clearly.

1. Evaluate (a) 0.4×0.5

   (b) $0.57 - 0.02$

   (c) $0.2 \times 0.3 \times 0.4$

   (d) $\frac{9.26}{2}$

   (e) $(4.1)^2 \times 0.02$

5 marks.

2. Here is a table setting out the maximum speed (in kph) of some animals, including man:

Animal	Man(M)	Ostrich(O)	Elephant(E)	Impala(I)	Cheetah(C)
Top Speed in kph	32	80	40	80	112

Show this information in the form of a column or bar graph.

5 marks.

3. In the following expressions, substitute these values:

   a = 0, b = 1, c = 2, d = 3.

   Reduce each to the simplest numeral.

   i) $a + d$

   ii) $4a$

   iii) $6c$

   iv) $2b + d$

   v) d^2

   vi) $\frac{d + b}{9}$

6 marks.

4. Find the following:

   a) 10% of 760

   b) 10% of 35

   c) 25% of 320

   d) 5% of 80

   e) 12½% of 136

Example of method, in case you have forgotten:

$$50\% \text{ of } 24 = \frac{50}{100} \times \frac{24}{1}$$

$$= \frac{1}{2} \times \frac{24}{1}$$

$$= 12$$

5. A leading tyre manufacturer claims that his new type of tyre will average 12½% more wear than the previous type.

   a) If the owner of a taxi fleet finds that the previous type average 23,000 km before replacement, how many kilometres should he average with the new tyres?

   b) If the old type cost $72.50 each, are the new ones reasonable at $79.50? Why?

6 marks.

TOTAL MARKS 27

English: Entrance Test for Prison Officers

Be sure to number your answers clearly. Neatness and spelling will be taken into account when marking.

A.

Advertisers have brought the art of propaganda very near to perfection. A consideration of the devices employed in advertisements may help us to recognise the tricks of other propagandists and to consider how immense and insidious is their influence. The advertiser has something to sell; it would be unreasonable to expect him to be disinterested. He wishes to present his goods in the most favourable manner possible. Accordingly he is unlikely to provide us with all the information that would enable us to form an independent opinion of the value of the article advertised. Frequently he has to create in us a felt want for his goods. Accordingly, he will seek to arouse our emotions, appealing to our desire to be healthier, or more beautiful, or even better dressed than we are. At the same time, the skilful advertiser will support this appeal with some show of evidence that his goods are able to satisfy these desires.

Looking at the advertisements in any newspaper or magazine I select a few speciments, slightly camouflaged to prevent complications. A man and a girl gaze at each other. An inscription says that as long as men can see they will respond to beauty. Then follows the advice: "Use this cream and awake the response that she does".

A patent medicine is offered as an infallible cure for a common chest complaint. A promise is made that even the most obstinate cases will yield to this treatment. There follow 'letters of gratitude selected from hundreds'. A woman writes that she despaired of ever being well, but now she is 'a different woman'. Eminent medical men and well-known

public persons (unspecified) are said to have praised the treatment. The reader is assured: "Health is your right". He believes that he has been offered evidence that this medicine will enable him to attain his right.

Often you see advertisements containing such captions as the following:

They all swear by .....

Everybody is doing .....

We are going to do ..... Are you?

Trust the ..... baker.

Trust your dentist. He knows a good toothpaste.

Some who know GOOD ..... made this.

Goodbye to doubts when you see ..... trademark.

Send them happy to school. Give them.....

You want a healthy baby don't you? Then .....

Here's value you never saw before. Why not get a .....?

This is the brand that is used by men of action, men who DO things.

This soap is different.

These captions, often accompanied by pictures, are designed not only to arrest your attention, but also to appeal to your desire to do as others do or to obtain something which, it is suggested, would be good for you. Something is wrong with you and the advertisement tells you to trust the expert upon whom you must in the end rely. The advertiser reckons upon your not pausing to ask for any evidence that 'they all' swear by the goods offered, nor for any of the credentials of the 'expert' who hides so modestly behind the description. The purpose of the whole layout of

the advertisement is to persuade you that you have been offered reliable evidence, although, in fact, you have not.

.....

Study the article carefully and write full answers to the questions below. You may need to write a paragraph in answer to some.

1. "The advertiser has something to sell; it would be unreasonable to expect him to be disinterested." What does the writer mean when she says this?

2. Why is the advertiser unlikely to provide us with all the information needed to form an independent opinion of the value of the article?

3. The writer says the advertiser has to create in us a feeling that we want his goods. Express in your own words how he manages to do this, according to the author.

4. In the advertisement by the patent medicine firm the advertiser assures us in three different ways that the medicine will meet our needs. What are the three assurances? Comment on any one of them.

5. Look carefully at the advertisement captions. Choose one and try to show how the advertiser is presenting his product and trying to persuade you to buy it.

Comprehension 15 marks.

B. ESSAY

REVOLTA have just brought out a new model - a three cylinder family lift-back with many innovative features.

Prepare the advertisement to launch this car.

Essay 20 marks.

APPENDIX E

1. Mutiny

2. Open incitement to mutiny.

3. Assaulting a police officer or a member of the public with whom the prisoner or detainee comes into contact.

4. Stealing, unlawfully receiving, or embezzling any article or thing.

5. Preferring a complaint against a prison officer knowing the complaint to be false.

6. Engaging in riotous behaviour.

7. Instigating or encouraging another prisoner or detainee to riot.

8. Assaulting a prison officer.

9. Treating disrespectfully a prison officer, a person who visits or is employed in a prison with whom the prisoner or detainee comes into contact.

10. Assaulting another prisoner or detainee.

11. Committing a breach of the regulations under this Act or failing to obey an order lawfully given by a person having authority in a prison.

12. Leaving or attempting to leave without permission the place at which he is directed or authorised to be.

13. Being idle or negligent at work.

14. Mismanaging any work.

15. Damaging or destroying any property.

16. Setting alight to any inflammable article without authority.

17. Having in his cell or possession an article or thing not furnished by the prison authorities or allowed to be in his possession.

18. Trafficking with another prisoner or detainee or any other person.

19. Disfiguring the walls or other part of a prison in any way or defacing, destroying or pulling down a paper or notice hung up by the prison authorities in or about any part of the prison.

20. Behave indecently.

21. Using insulting or threatening language.

22. Cursing or swearing profanely.

23. Being drunk or under the influence of an illegal drug.

24. Behaving irreverently at or during a religious service.

25. Committing a nuisance.

26. Preferring a frivolous complaint.

27. Making or attempting to make a wound or sore on himself.

28. Maiming, injuring or tattooing himself or any other prisoner or detainee.

29. Feigning illness.

30. Giving or lending to, or borrowing from, another prisoner or detainee anyfood or other article or thing without leave.

31. Conversing or holding intercourse with another prisoner or detainee, except as authorised by the regulations under this Act.

32. Engaging in disorderly conduct.

33. Instigating or encouraging another prisoner or detainee to engage in disorderly conduct.

34. Committing an act contrary to good order or maintenance of prison discipline or security.

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